

PLANNING COMMITTEE AGENDA

Tuesday 23rd November 2021 at 7.15pm

**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 broadcast via the Councils YouTube Channel,
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 J Abbott	Councillor Mrs I Parker (Vice Chairman)
Councillor Mrs J Beavis	Councillor F Ricci
Councillor K Bowers	Councillor Mrs W Scattergood (Chairman)
Councillor P Horner	Councillor P Schwier
Councillor H Johnson	Councillor Mrs G Spray
Councillor D Mann	Councillor J Wrench
Councillor A Munday	

Substitutes: Councillors T Cunningham, A Hensman, D Hume, P Thorogood,
Mrs S Wilson, Vacancy (*Substitutes who wish to observe the
meeting will be required to do so via the Council YouTube
Channel*).

Apologies: 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.

Any Member who is unable to attend a meeting is able to appoint a
Substitute. Written notice must be given to the Governance and Members
team, no later than one hour before the start 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

Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by **midday on the second working day** before the day of the Committee meeting. For example, if the Committee Meeting is on a Tuesday, the registration deadline is midday on Friday, (where there is a Bank Holiday Monday you will need to register by midday on the previous Thursday).

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, and then 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

Substitute Members: Only the named Substitutes on this agenda can be appointed by a Member of the Committee to attend in their absence. The appointed substitute becomes a full member of the Committee with participation and voting rights.

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

Public Attendance at Meeting: Public attendance is welcomed, but is subject to restrictions due to the Council's arrangements for keeping Causeway House COVID secure and visitors safe.

Public attendance is limited and will be on a first come first served basis with priority given to public registered speakers. In order to maintain safe distances, the Council may have to refuse entry to members of the public. The public will not be able to sit in the Council Chamber, but will be permitted to observe the meeting from a public gallery through a large screen. Alternatively, the Council meetings are webcast and are available via the Council's YouTube Channel and can be viewed by the public as a live broadcast, or as a recording following the meeting.

Public speakers and public attendees are required to attend on their own, and where possible only one representative of any community group, family household or Company should attend.

Members of the public intending to come to Causeway House to observe a meeting are recommended to watch the meeting via the webcast, or to contact the Governance and Members Team to reserve a seat within the public gallery.

Health and Safety/COVID:

Causeway House is a Covid secure building and arrangements are in place to ensure that all visitors are kept safe. Visitors are requested to follow all instructions displayed at Causeway House or given by Officers during the course of their attendance. All visitors will be required to wear a mask or face covering, unless an exemption applies.

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>. The meeting will also be broadcast via the Council's YouTube Channel.

Comments and Suggestions: 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 meetings of the Planning Committee held on 28th September 2021, 12th October 2021, 26th October 2021 and 2nd November 2021 (copies to follow).

4 Public Question Time

(See paragraph above)

5 Planning Applications

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

Where it has been agreed that the 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	App. No. 21 00929 OUT - Land South of Chapel Road, RIDGEWELL	6-33
5b	App. No. 21 01478 VAR – Highfields, 224 London Road, GREAT NOTLEY	34-54
5c	App. No. 21 02545 FUL – 3 Springwood Court, BRAINTREE	55-62

PART B Minor Planning Applications

5d	App. No. 21 00585 HH – 18 Grange Hill, COGGESHALL	63-69
5e	App. No. 21 00586 LBC – 18 Grange Hill, COGGESHALL	70-74

5f	App. No. 21 02430 ADV – Roundabout North of Mayland House, The Grove, WITHAM	75-80
5g	App. No. 21 02431 ADV – Roundabout at Gershwin Boulevard, Maltings Lane, WITHAM	81-86
5h	App. No. 21 02912 HH – 26 High Garrett, BRAINTREE	87-95
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.	
	<i>At the time of compiling this Agenda there were none.</i>	

PRIVATE SESSION

Page

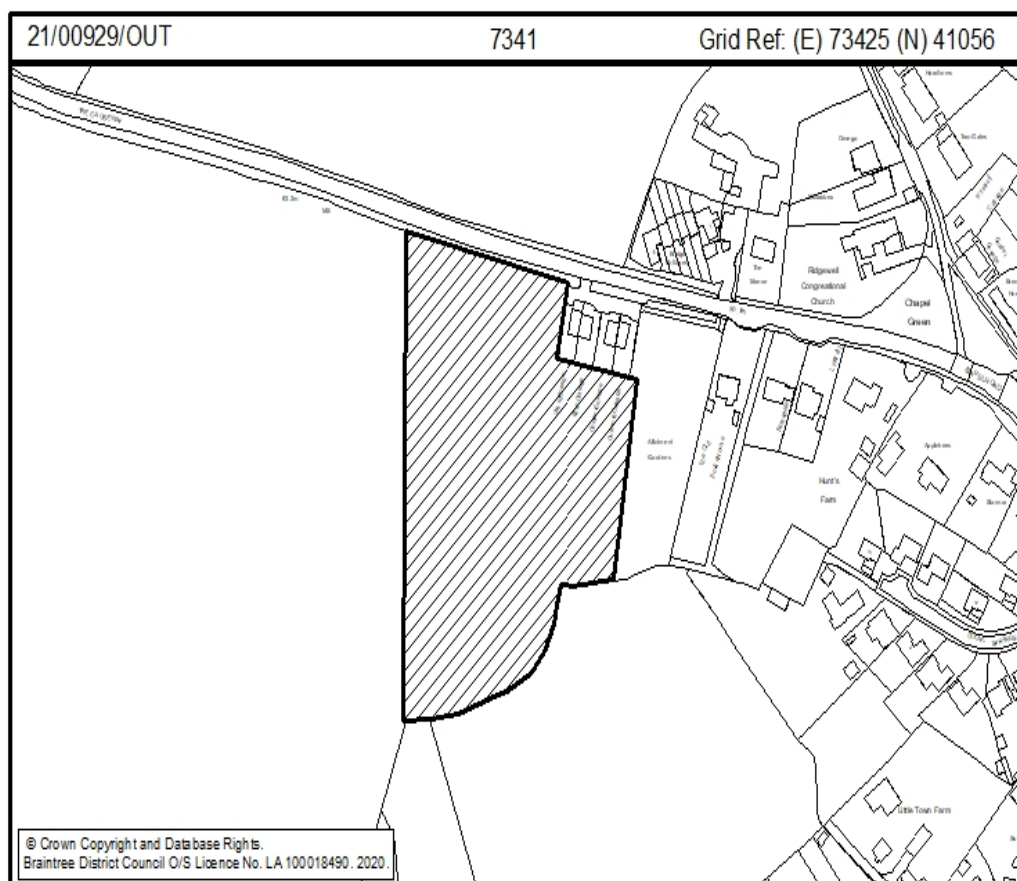
8	Urgent Business - Private Session
	To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

PART A

AGENDA ITEM NUMBER 5a

APPLICATION NO: 21/00929/OUT
DATE VALID: 23.03.21
APPLICANT: Q Developments Ltd
C/O Agent, ,
AGENT: Turley
Miss Sarah Hockin, 6th Floor North , 2 Charlotte Place,
Southampton, SO14 0TB, United Kingdom
DESCRIPTION: Outline planning permission with all matters reserved apart
from access for development of up to 24 dwellings including
details of access into and within the site, parking
arrangements, garages, open space, landscaping, drainage
measures and all other associated works.
LOCATION: Land South Of, Chapel Road, Ridgewell, Essex

For more information about this Application please contact:
Carol Wallis on:- 01376 551414 Ext. 2534
or by e-mail to: carol.wallis@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QQEWZKBFK8M00>

SITE HISTORY

None

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy") which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

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

RLP8	House Types
RLP10	Residential Density
RLP22	Accessible Housing and Lifetime Housing
RLP49	Pedestrian Networks
RLP50	Cycleways
RLP51	Cycle Parking
RLP53	Generators of Travel Demand
RLP54	Transport Assessments
RLP56	Vehicle Parking
RLP64	Contaminated Land
RLP65	External Lighting
RLP69	Sustainable Urban Drainage
RLP70	Water Efficiency
RLP71	Water Supply, Sewerage & Drainage
RLP74	Provision of Space for Recycling
RLP80	Landscape Features and Habitats
RLP81	Trees, Woodland Grasslands and Hedgerows
RLP84	Protected Species
RLP90	Layout and Design of Development
RLP92	Accessibility
RLP95	Preservation and Enhancement of Conservation Areas
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings
RLP104	Ancient Monuments and Sites of Archaeological Importance
RLP105	Archaeological Evaluation
RLP106	Archaeological Excavation and Monitoring
RLP138	Provision of Open Space in New Housing Developments

Braintree District Local Development Framework Core Strategy 2011

CS2	Affordable Housing
CS5	The Countryside
CS7	Promoting Accessibility for All
CS8	Natural Environment and Biodiversity
CS10	Provision for Open Space, Sport and Recreation

Braintree District Shared Strategic Section 1 Local Plan (2021)

SP1	Presumption in Favour of Sustainable Development
SP3	Spatial Strategy for North Essex
SP4	Meeting Housing Needs
SP7	Place Shaping Principles

Braintree District Draft Section 2 Local Plan (2017)

LPP1	Development Boundaries
LPP17	Housing Provision and Delivery
LPP33	Affordable Housing
LPP37	Housing Type and Density
LPP44	Sustainable Transport

LPP50	Built and Historic Environment
LPP53	Provision of Open Space, Sport and Recreation
LPP55	Layout and Design of Development
LPP56	Conservation Areas
LPP60	Heritage Assets and their Settings
LPP63	Archaeological Evaluation, Excavation and Recording
LPP67	Natural Environment and Green Infrastructure
LPP68	Protected Species, Priority Spaces and Priority Habitat
LPP69	Tree Protection
LPP70	Protection, Enhancement, Management and Monitoring of Biodiversity
LPP71	Landscape Character and Features
LPP73	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
LPP74	Climate Change
LPP78	Flooding Risk and Surface Water Drainage
LPP79	Surface Water Management Plan
LPP80	Sustainable Urban Drainage Systems
LPP81	External Lighting
LPP82	Infrastructure Delivery and Impact Mitigation

Neighbourhood Plan

None

Other Material Considerations

Affordable Housing Supplementary Planning Document (2006)
 Essex Design Guide (2005)
 External Artificial Lighting Supplementary Document (2009)
 Open Space Supplementary Planning Document (2009)
 Parking Standards – Design and Good Practice (2009)

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part A of the Council's new Scheme of Delegation, as the application is categorised as a Major planning application.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site is 1.52 hectares in size and is located to the northwest of the village of Ridgewell. The site falls outside but adjacent to the village boundary.

The site is a greenfield site, currently covered with shrubs and vegetation. There are overhead cables running through the middle of the site from north to south. Existing access is made via the shared access with the properties to the immediate east from Chapel Road A1017.

The site partially wraps around two pairs of semi-detached dwellings that front onto Chapel Road A1017, and the eastern site boundary abuts an area of allotments. To the further east are residences within the village. There is a public right of way to the immediate south of the site. To the north, west and south are open agricultural fields.

PROPOSAL

The application seeks outline planning permission for up to 24 residential units. Access is to be considered at the outline stage with the matters of layout, appearance, scale and landscaping being reserved for future consideration.

A single point of access off Chapel Road A1017 is proposed for both vehicles and pedestrians. The proposed internal spine road would be dual width of 4.8m with 2m wide footpath on both sides. A shared drive would then be provided to serve further dwellings. The applicant also indicated that the overhead cables will be diverted underground as part of the scheme.

Applications for outline planning permission seek to establish whether the nature of a proposed development would be acceptable to the Local Planning Authority, before a detailed proposal is put forward. An illustrative plan has been provided showing a mix of detached, semi-detached and terraced dwellings together with a landscaped margin around the site's perimeter.

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

- Flood Risk Assessment
- Arboricultural Impact Assessment
- Preliminary Ecological Appraisal (PEA)
- Transport Assessment
- Speed Survey
- Planning Statement
- Landscape Strategy Plan
- Landscape and Visual Assessment
- Design and Access Statement
- Heritage Appraisal
- Site Access and Visibility Splay Arrangements Plan
- Illustrative Refuse Strategy
- Topographic Survey

SUMMARY OF CONSULTATION RESPONSES

BDC Ecology

No objection, subject to conditions securing the ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal as well as a Wildlife Sensitive Lighting Design Scheme. A Biodiversity Enhancement

Strategy and a Landscape and Ecological Management Plan would be required to be submitted concurrent with Reserved Matters application.

BDC Environmental Health

No objection, a number of conditions requested regarding contamination, noise, air quality and construction controls.

BDC Housing

40% affordable housing would be provided, generally in line with Council's requirement.

BDC Waste Services

Large private driveways are shown on the Site Layout Plan, which do not appear to comply with the Council's requirements of meeting the adopted highway standard of road, and appear over 20 metres away from the adopted road, which is over the maximum distance waste collectors are required to walk from where the refuse collection vehicle has to stop.

ECC Archaeology

The Essex Historic Environment (HER) Record shows that the proposed development lies within an area of potential for below ground archaeological remains. Recommend conditions securing archaeological evaluation prior to commencement of development.

ECC Highways

Objection, the applicant is unable to provide visibility splays at the proposal site access within land under their control and/or is highway which accord with the recorded 85th percentile vehicle speeds as set out in the speed survey. The lack of such visibility would result in an unacceptable degree of hazard to all highway users to the detriment of highway safety.

The applicant also has not demonstrated it would be possible to provide, within land under their control and/or is highway, a suitable pedestrian connection between the proposal site and existing footpath/footway provision east of the proposal site.

The proposal is therefore contrary to Policies DM1 and DM9 of the Highway Authority's Development Management Policies (2011).

ECC Historic Buildings Consultant

No objection. This outline application follows on from in-depth, pre-application consultation meetings held in late 2020, when the site layout and the principle of the development were discussed. During discussions, measures were taken to amend the layout in order to reduce the visual impact of the scheme

on the setting of nearby heritage assets, in particular that of the Conservation Area and the Scheduled moated site to the south (List UID: 1012097). This reduction in the development's visual impact was achieved by the open spaces to the north and the south of the site and the hedge and tree boundary.

The layout is acceptable, and agrees with the conclusion of the Heritage Statement, which finds no harm to the setting of the nearby heritage assets from the development of the site.

For the forthcoming Reserved Matters application stage, an important heritage consideration will be the enhancement of the development can bring to the area's distinctive character. The detailing, materials, the form and appearance of the dwellings will be crucial in this regard.

ECC SuDS

No objection.

Essex Fire and Rescue Service

Due to an excessive distance to the nearest existing statutory fire hydrant, No.80/296 shown on the enclosed plan, it is considered necessary that additional fire hydrants are installed within the curtilage of the proposed site.

Should the development proceed, once in receipt of the new water main design scheme for this development from the local Water Authority, the Fire Service will liaise with them directly to ensure that all necessary fire hydrants are provided.

In addition to the comments made above, if a fire appliance is unable to gain access to within 45 metres of all parts of a new dwelling, as required by the Building Regulations 2010 Approved Document B, an alternative solution may be required such as an Automatic Water Suppression System (AWSS) incorporated into the building design. Further advice in regard to this matter should be sought before works commence.

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.

Essex Police

Whilst there are no apparent concerns with the layout to comment further, would require the finer detail such as the proposed lighting, and physical security measures. Would welcome the opportunity to consult on this development to assist the developer demonstrate compliance with this policy by achieving a Secured by Design Homes award.

Anglian Water

Records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Ridgewell Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows, for a gravity connection to the sewer in "The Causeway". If the developer wishes to connect to the sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application, the proposed method of surface water management does not relate to Anglian Water (AW) operated assets. As such, AW is unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with AW operated assets, AW would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Natural England

No comments to make on the application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the Local Planning

Authority to determine whether or not this application is consistent with national and local policies on the natural environment.

NHS

Request a contribution of £8,970 to be secured through a S106 agreement towards the Hedingham Medical Centre.

PARISH / TOWN COUNCIL

Ridgewell Parish Council

Supportive of the application. Councillors welcome the increase in affordable housing and the positive impact for the local school.

This support is however subject to the following confirmation:

- that this support will not be considered precedent for any further developments upon greenfield sites outside the parish boundary nor for any expansion onto the adjacent land to this development;
- that all access roads will be maintained by Essex Highways and not left unadopted;
- that the drainage solution for the development also addresses the current drainage issues regularly reported to both Braintree District Council and Essex County Council, that results in regular flooding of Chapel Road.

The Parish Council would also like clarification on ownership and responsibility for the open spaces on the proposed development. There are a number of inaccuracies contained in the submitted Transport Assessment, relating to availability of public bus services (3.3.2) and distances to local facilities (table 3.1), as there is no shop, bus stop or takeaway in the village.

It is also noted that this development increases the housing stock of the village by a further 10% and, with the other recent developments in the village, exceeds the number of properties set out in the Braintree District Council Housing Plan 2013-33 and therefore would expect both Braintree District Council and Q Developments to support the growth of the village through support to local amenities and services, which have been subjected to managed decline in recent years.

REPRESENTATIONS

Objections from 7 addresses have been received and the main reasons of objection are summarised below:

- Damages tranquillity.
- Harms wildlife.
- Disruption during building works.
- Dangerous stretch of road with cars in excess of 30mph.
- Additional traffic affecting safety of road.
- The 30mph speed limit should be moved up the Causeway together with speed calming measures near the site entrances.
- Limited services and infrastructure in the village.
- Limited local employment, most residents commute to work in London, Cambridge, Bishop Stortford and other remote destinations.
- Proposal does not provide amenities to the village.
- No public transport services, so car dependency is high.

- Too many/disproportionate amount of new dwellings permitted within 5 years, which is more than the outlined growth proposed for the village in the new Local Plan.
- All roads in the estate should be adoptable tarmac roads of standard width, with lighting and pavements.
- Existing drainage issues in the village.
- The drainage survey shows run off would flow into the drains along the Causeway and into the village centre and down into Church Lane, which experienced flooding issues during 2000 and 2020.
- The submitted Flood Risk Assessment is flawed as existing system cannot cope, leading to more flooding.
- NPPF says there should be no increased risk of flooding.
- Surface water needs to be managed appropriately.
- Inadequate drainage could affect the historic buildings in centre of village and along both Church Lane and Hall Lane.
- Existing sewerage pipes are not wide enough and the sewerage system is old and already struggle to cope with existing demand, would not be able to cope with additional flow.
- Overhead power cables cross the site and should be put underground.
- More parking is required, likely to cause on-street parking as most garages are not used for car parking.
- More cars mean more carbon emissions.
- New residential development should sponsor a local bus service.
- No proper footpath from site into village/path not being looked after.
- Support the retention and improvement of the right of way, which is well used by the villagers.
- Height of new houses should be no higher than neighbouring properties.

REPORT

Principle of Development

National Planning Policy Framework (NPPF) 2021

As set out in Paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has three overarching objectives: economic; social; and environmental; which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Paragraph 9 of the NPPF outlines that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, paragraph 38 of the NPPF prescribes that local planning authorities should approach decisions on proposed development in a positive and creative way and that decision

makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 12 of the NPPF sets out that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. In addition, paragraph 47 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The NPPF underlines the Government's objective of significantly boosting the supply of homes. In this regard, paragraph 60 of the NPPF highlights the importance of ensuring that there is a sufficient amount and variety of land that can come forward where it is needed, that specific housing requirements are met, and that land with permission is developed without unnecessary delay. Paragraph 74 of the NPPF outlines that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against (in the case of Braintree District) our 'local housing need' plus the relevant buffer.

In this regard, and in considering the overall planning balance as to whether the proposed development subject to this application constitutes sustainable development, an important material consideration in this case is whether the Council can robustly demonstrate a 5 Year Housing Land Supply. This will affect whether Paragraph 11 of the NPPF is engaged and consequently the weight that can be attributed to the Development Plan.

The Development Plan

Currently the Council's statutory Development Plan consists of the Braintree District Local Plan Review (2005), the Braintree District Core Strategy (2011), and the Braintree District Shared Strategic Section 1 Local Plan (2021).

Policy RLP2 of the Adopted Local Plan states that new development will be confined to areas within Town Development Boundaries and Village Envelopes. Outside these areas countryside policies will apply. Policy CS5 of the Core Strategy specifies that development outside Town Development Boundaries and Village Envelopes will be strictly controlled to uses appropriate within the countryside in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside.

The proposal is for 15 market dwellings and 9 affordable dwellings, thus would not qualify for an exception to the rural restraint policies. The proposal is therefore contrary to Policy RLP2 of the Adopted Local Plan and Policy CS5 of the Core Strategy.

The application site is not proposed for allocation for development in the Section 2 Plan. The proposed development is therefore contrary to it, in particular Policy LPP1 which also states that outside development boundaries development will be strictly controlled to uses appropriate to the countryside.

5 Year Housing Land Supply

The Council publishes a 5-year housing land trajectory as of 31st March each year, the most recent position therefore is that of 31st March 2021. Within this trajectory the Council considered that it has a 5.34-year supply of housing, based on a 5% buffer.

At its full Council on the 22nd February 2021, Braintree District Council approved the adoption of the Shared Strategic Section 1 Local Plan. On its adoption, the Council must meet the housing requirement set out in that Plan. This is a minimum of 14,320 homes between 2013-2033 or an annual average of 716 new homes per year. This replaces the previous consideration of housing need based on the Standard Methodology.

The latest Housing Delivery Test (HDT) results were published in January 2021. The new results (which include an allowance for the impact of the current pandemic) confirm that the Council no longer needs to apply a 20% buffer and can revert to the usual 5% buffer. This applies from the day of the publication of the results.

This supply position does not include sites which are proposed to be allocated within the Section 2 Plan but do not yet have planning permission or a resolution to grant planning permission.

These allocations without permission will be tested at the forthcoming Section 2 Plan Examination. Once the Section 2 Plan is adopted, these sites will become adopted allocations and greater weight can be given to them, if there is clear evidence that there is a realistic prospect that housing will be delivered on the site within five years.

Given all of the evidence before it – including the use of the new housing requirement from the Shared Strategic Section 1 Local Plan and the use of a 5% buffer, the Council considers that the current 5-year Housing Land Supply for the District is 5.34 years.

As the Council can demonstrate the required five-Year Housing Land Supply the 'tilted balance' pursuant to Paragraph 11d) of the NPPF is not engaged due to a lack of housing land supply.

SITE ASSESSMENT

Location and Access to Services and Facilities

The strategy set out in the emerging Local Plan is to concentrate growth in the most sustainable locations - that is, by adopting a spatial strategy that promotes development in the most sustainable locations, where there are opportunities for walking, cycling and public transport links to nearby shops, services and employment opportunities. This means for the new Local Plan inter alia: "That the broad spatial strategy for the District should concentrate development in Braintree, Witham and the A12 corridor, and Halstead".

Policy CS7 of the Core Strategy states that future development will be provided in accessible locations to reduce the need to travel.

Policy RLP53 of the Adopted Local Plan states that major new development proposals that are likely to generate significant levels of travel demand will only be permitted where:

- Direct public transport services exist, or there is potential for the development to be well served by public transport;
- The layout of the development has been designed to ensure that access to existing or potential public transport lies within easy walking distance of the entire site.

Policy LPP44 of the Section 2 Plan states that sustainable modes of transport should be facilitated through new developments to promote accessibility and integration into the wider community and existing networks.

The site is located within the countryside outside of Ridgewell, albeit the settlement boundary sits to the eastern side of the application site. Notwithstanding this it is necessary to consider the amenities/facilities that are available within close proximity to the site.

Ridgewell is identified as a third tier village in the settlement hierarchy that lacks most of the facilities required to meet the day-to-day needs. Ridgewell is a small village with only about 500 population. There is 1 pub, a village hall, a church and a primary school in the village which are all over 450m away from the site. There is no shop within the village and the only takeaway also ceased operation last year. Although there was a bus stop at the junction of A1017 and Church Lane, the bus services have ceased for a number of years. The No.438 service is a school bus service only purported to run through the village at 0720 and 1622 hours respectively. The public transport link is poor and most of the residents are required to travel by private cars to larger towns. The site therefore has poor accessibility to services and facilities.

The submitted illustrative site plan indicates that a footway will be introduced within the application site, but there is no pavement between the site's

frontage and the rest of the village, with pedestrians needing to walk some 60m to access the existing footway on the highway.

Although Ridgewell is subject to a 30mph speed limit, the application site entrance falls approximately 40 metres outside this zone in an area covered by the national speed limit. Vehicles will therefore be speeding up to leave the village or travelling at speed with a view to slowing down upon entry into the settlement. In Officers' opinion, having experienced the pedestrian environment, use of the highway for walking is unlikely to be attempted by residents or if it is, not without some difficulty or degree of hazard being posed. In addition, there are no dedicated cycle lanes within the vicinity of the site and in Officer's opinion the nature of the local road network is unlikely to be considered as a favourable cycling environment.

In response to the Highways Authority's comments, the applicant has indicated that a footpath could be provided to the north of the site to link up with the existing footpath along the allotments. However, it would require private land that is not controlled by the applicant nor within the highway extent. Land required to provide the proposed footpath therefore is not included as part of the site and therefore could not be delivered as part of this proposed development.

As a consequence of the limited accessibility to other forms of transport to the private motor car, future residents are unlikely to be encouraged to utilise sustainable modes of transport and will largely rely on travel by private motor car. In Officer's opinion development in this location would undoubtedly place reliance on travel by car which conflicts with Policy CS7 of the Core Strategy, Policy RLP53 of the Adopted Local Plan, Policy SP3 of the Adopted Section 1 Plan, Policy LPP44 of the Section 2 Plan and the aspirations of the NPPF to locate development where the need for travel can be minimised and the use of sustainable transport modes can be maximised. This weighs against the proposal in the overall planning balance.

Design, Appearance and Layout

Paragraph 126 the NPPF highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable developments, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

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

Policy SP7 of the Section 1 Local Plan sets out place shaping principles, including responding positively to local character and context to preserve and enhance of existing places and their environs.

Policy LPP55 of the Section 2 Plan also seeks to secure the highest possible standards of design and layout in all new development and the protection and enhancement of the historic environment.

This is an outline application where appearance, scale, layout and landscaping are reserved matters. The application includes an illustrative plan indicating the key aspects of the design and layout, such as access, landscape features and SuDs features. It is indicated that the density of the development of the whole site for up to 24 dwellings would be 15.7 dwellings per hectare (dph).

Officers are of the view that the site could accommodate the quantum of development proposed.

The Strategic Housing Market Assessment (SHMA, 2015) identifies that the district would require 75.72% of market dwellings to be 2 to 3 bedrooms properties and 79.33% affordable dwellings would be required to be 1 or 2-bed properties. The indicative housing mix shows that only 60% of the market dwellings would be 2- to 3-bed dwellings, and the remaining 40% of market dwellings would be 4-bed or more; whilst 67% of the proposed affordable dwellings would be 2-bed and 33% would be 3-bed properties. The indicative housing mix is overly focused on larger market units whilst the affordable housing is not meeting the desperate need for smaller units. It is not in line with the SHMA figures and hence its contribution to meeting the District's identified housing need would be reduced. A condition would be required to control the proposed housing mix in order to ensure that it meets the identified housing needs, should approval be given.

Trees

Development along the edge of settlement will add to the general accretion of the built form into the rural agricultural setting of the village and would erode the open landscaped character of the area. Whilst the illustrative layout plan proposes a landscaped margin to enclose the housing, this domesticated and structured approach would contrast with the open field patterns on this side of the settlement.

Furthermore, the proposed access route will require suitable visibility splays. The visibility splays as shown on Drawing No. 662945-10 Rev. D are considered unacceptable to the Highways Authority. A significant proportion of the hedgerow fronting The Causeway would be required to cut back or trimmed and maintained at a low level. The extent of hedgerow removal is unclear due to the visibility issues and such removal could be harmful to the character and appearance of the rural countryside.

In addition, the latest NPPF requires that all new streets to be tree-lined. The indicative site layout shows intermittent tree plantings along the proposed spine road, however, street trees should be planted at a more regular intervals and on both sides of the spine road to create a boulevard style. These trees should not be included in domestic gardens but to be maintained either as part of adopted road or by the future management company/residents' association. Officers are of the view that refinement could be accommodated in the detailed design stage but the planting details including locations and planting schedule would need to be considered as part of the reserved matters in relation to layout and landscape.

Landscape and Visual Impact

The NPPF states in Paragraph 174 that planning policies and decisions should contribute to and enhance the natural and local environment recognising the intrinsic character and a beauty of the countryside.

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

Policy RLP80 of the Adopted Local Plan states that new development should not be detrimental to the distinctive landscape features and development that would not successfully integrate into the local landscape will not be permitted. This sentiment is reiterated in Policy LPP71 of the Section 2 Plan.

The site is within the Natural England National Character Area 86: South Suffolk and North Essex Claylands. Essex County Council's landscape character assessment places the site within the Blackwater and Stour Farmlands (B3). According to the Braintree Landscape Character Assessment (2006), the site falls within B2 Hempstead Farmlands Plateau, which has a high sensitivity to change. The planning guidelines should include "ensuring new development is small-scale and responds to historic settlement pattern, landscape setting and locally distinctive building styles." However, the proposal with 24 dwellings is a major scheme which clearly could not be considered as small-scale and does not follow the suggested planning guidelines.

Development of the chosen site could be seen as a natural completion of the existing development pattern at the northwest of Ridgewell, providing context to the pairs of semi-detached dwellings that are currently separated from the settlement via the allotment field. However, the development would still represent a considerable change in character from an open arable field to a collection of 24 residential dwellings with domestic curtilage, parking, outbuildings and paraphernalia. Whilst a proportion of viewpoints would place the site in visual context of a backdrop of existing development, therefore reducing the magnitude of change, there are other viewpoints where it would

be seen as an encroachment into an undeveloped landscape and an unwelcome urbanisation of a rural landscape.

Although there would be scope to mitigate the visual effects further through a detailed landscape scheme during reserved matters application, Officers are of the view that the proposal would urbanise the open countryside and would therefore be detrimental to the fabric and composition of the local landscape and landscape character areas.

Impact on Heritage Assets

The site is located approximately 200m from the nearest listed building known as Hunts Farmhouse and cannot be seen within the same street scene context. Other heritage assets are distanced from the site by roads, dwellings or open fields.

The Historic Buildings Consultant confirms that efforts have been made to reduce the visual impact of the proposed development upon the Conservation Area within Ridgewell as well as from other nearby assets. The Historic Buildings Consultant states that the illustrative layout is acceptable as a result and finds no harm to the setting of the nearby heritage assets from the development of the site and has no objections, to which the Officer is content to agree with.

Impact on Neighbour Amenity

The existing semi-detached dwellings fronting The Causeway are known as Ward Cottage, Bush Cottage, Cooper Cottage and Cutmore Cottage respectively (west to east). All four dwellings would experience a change in outlook as a result of the development. Whilst private views are not protected, Officers would be concerned about the potential relationship between proposed plot 18 and the rear gardens of Bush Cottage and Ward Cottage, with particular regard to obstruction of the outlook. Some regard would also need to be had to address the boundary between the proposed access and the western flank of Ward Cottage, where noise and disturbance from vehicle movements may be expected.

The illustrative site layout plan shows that a scheme could come forward without unacceptable loss of amenity to neighbouring residential properties, providing architectural design is sensitively prepared.

Highway Issues

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residential residual cumulative impacts on the road network would be severe.

The application proposes that access is considered at the outline stage. It is proposed the development be served by a single point of access off A1017.

The application is supported by a Transport Assessment which considers the existing local highway network, the proposed access and the impact of the development on the highway network. The Highway Authority has considered the Transport Statement and considers it acceptable for the scale of development proposed.

However, the Highways Authority has raised objection to the development on the grounds that the visibility splays proposed would require the use of land beyond the control of the applicant. Without a means of controlling or binding such land to be retained obstruction free in order to facilitate the visibility splays now or in perpetuity, the splays cannot be provided in their full form. This would result in restricted visibility that, together with the speed and nature of the highway in this location, would represent an unacceptable degree of hazard to all users of the highway.

The Highways Authority also object on the grounds that there is no suitable footpath connection from the entrance of the application site into the village. The proposed footpath internal to the site simply terminates at the site's proposed entrance, leaving the development physically separate and unconnected from Ridgewell.

The applicant has put forward an alternate proposal to the Highways Authority to provide a new footpath to link up to the existing provision in the village, however, it would involve land outside the application site boundary and would also involve third party land. Such alterations of site boundary are fundamental and would not be able to be accepted as revisions and there is currently no legal mechanism to secure the necessary footpath to be provided on third party land.

On this basis, Officers conclude that there would be conflict with the aforementioned policies on unsafe highway grounds.

Ecology

The Council's Ecology Officer raises no objection to the proposal and is satisfied that there is sufficient ecological information available for determination of this application, subject to conditions securing the mitigation and enhancement measures contained in the PEA, there is no objection to the proposal. Natural England have not raised any comments or stated anything to the contrary.

For these reasons, the proposal would be in accordance with Policy RLP84 of the Adopted Local Plan, Policy CS8 of the Core Strategy and Policy LPP70 of the Section 2 Plan if the terms of the PEA were secured by planning condition.

Archaeology

Essex County Council recommends that conditions to require a programme of archaeological trial trenching and excavation to be undertaken. Such conditions would be required to be placed at the outline application stage.

Drainage and Flood Risk

Paragraph 166 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. It states that priority should be given to the use of sustainable drainage systems.

Paragraph 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

The site falls within Flood Zone 1 with least risk of flooding. However, the north-eastern part of the site has been identified with low risk of surface water flooding whilst the section of A1017 to the immediate north of the site is also subject to high risk of surface water flooding. A Flood Risk Assessment (FRA) has been submitted and has considered the potential impact of the development on surface water runoff rates, given the increase in impermeable areas. An attenuation area is proposed as Sustainable Drainage System in the northern part of the site with a storage capacity of nearly 500m³. The FRA states that it can be demonstrated that surface water can be managed, such that flood risk to and from the site following development will not increase as a result of the development.

Residents have raised concerns over existing drainage provision and provided anecdotal evidence regarding flooding and flood events that have occurred in recent years. Whilst the concerns are noted, it is acknowledged that Essex County Council as Lead Local Flood Authority has considered that FRA and raises no objection, subject to a series of conditions being attached to any permission. These conditions would require a detailed surface water drainage scheme to be provided, details of measures to be put in place to minimise the risk to offsite flooding and appropriate arrangements to be put in place for the maintenance of the drainage system.

Construction Activity

In order to safeguard the amenity of existing residents in the locality, should the application be approved a condition is recommended requiring the applicant to submit for approval a comprehensive Construction Management Plan for each phase of the development covering for example construction access; hours of working; dust and mud control measures; contractor parking; points of contact for existing residents; construction noise control measures and details of any piling to be carried out on site.

PLANNING OBLIGATIONS

Paragraph 57 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in

planning terms; directly related to the development and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations. The following identifies those matters that the District Council would seek to secure through a planning obligation, if it were to grant it permission.

Affordable Housing

Policy CS2 of the Core Strategy states that on development of this size affordable housing will be directly provided on site with a target of 40%. The proposal would provide 9 affordable units and therefore would comply with the affordable housing target of 40%, subject to a S106 agreement being entered into. The Council's Housing Enabling Officer has advised on a mix of type and tenure of housing which would be sought.

Open Space

Policy CS10 of the Core Strategy states that the Council will ensure that there is good provision of high quality and accessible green space. New developments are required to make appropriate provision for publicly accessible green space or improvement of existing accessible green space in accordance with adopted standards. The Council's Open Space SPD sets out further details on how these standards will be applied. A development of this size would be expected to make provision for on-site amenity green space.

The indicative site layout shows an open space of about 1,734m² would be provided in the southern part of the site, whilst an attenuation area would be provided in the north. These together would provide in excess of the required outdoor open space for development of this size.

As informal outdoor open space is proposed within the scheme, it would need to be designed to be in line with the Council's open space specification. A financial contribution would be sought for outdoor sport, outdoor equipped playgrounds and allotments based upon the formula set out in the SPD. There is also a requirement to secure the on-going maintenance of any public open space provided on site. These would need to be secured as part of the S106 agreement, should approval be given.

NHS

Financial contribution of £8,970 towards the creation of additional capacity at the Heddingham Medical Centre.

Summary

Whilst the applicant has indicated that they would be prepared to enter into an agreement to provide the appropriate infrastructure mitigation, no such agreement is in place at the present time. The development therefore fails to satisfactorily mitigate the impacts of the development on local infrastructure and is contrary to Policies CS2 and CS10 of the Core Strategy, Policy

RLP138 of the Adopted Local Plan, Policy SP7 of the Section 1 Plan, and Policy LPP82 of the Section 2 Plan.

PLANNING BALANCE AND CONCLUSION

As set out within Paragraph 47 of the NPPF, planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the application site is located outside of a designated village envelope/town development boundary and is therefore located within the countryside, where new development is strictly controlled to uses appropriate within the countryside in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside. There is therefore a presumption that the application should be refused unless there are material reasons to grant planning permission.

Paragraph 60 of the NPPF sets out the Government's objective of significantly boosting the supply of homes. The main mechanism within the NPPF for achieving this is the requirement that local planning authorities demonstrate a five-year supply of deliverable housing land, assessed against housing need. In this regard, the Council is currently able to demonstrate a Housing Land Supply of 5.34 years against its housing need. As such the Council is presently meeting this objective.

Until the adoption of the Section 2 Plan, the sites which are proposed to be allocated but do not yet have planning permission or a resolution to grant planning permission, have not been included within the 5 Year Housing Land Supply calculation.

As such, although the Council can currently demonstrate a 5 Year Housing Land Supply, this is finely balanced, and currently only marginally exceeds the 5 year threshold.

As the Council can demonstrate the required 5 Year Housing Land Supply, the 'tilted balance' pursuant to Paragraph 11d) of the NPPF is not engaged due to a lack of housing land supply. It is therefore necessary to identify the most important policies for determining the application and to establish whether these are out-of-date. Paragraph 219 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater weight that may be given).

In this case the basket of policies which are considered to be the most important for determining the application are Policies SP1, SP3 and SP7 of the Section 1 Local Plan, Policies RLP2, RLP53, RLP80, RLP84, RLP90, RLP95 and RLP100 of the Adopted Local Plan and Policy CS5, CS7 and CS8 of the Core Strategy.

Policy SP1 of the Section 1 Plan states that when considering development proposals the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF, and will seek to approve proposals wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Policy SP3 of the Section 1 Plan sets out the spatial strategy for North Essex, namely to accommodate development within or adjoining settlements according to their scale, sustainability and existing role both within each individual Districts, and where relevant, across the wider strategic area. Further growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting. Policy SP7 of the Section 1 Plan relates to place shaping principles and states that all new development must meet high standards of urban design and architectural design. It specifically references that development should protect and enhance assets of historical or natural value.

As the Section 1 Plan has been found to be sound and recently adopted by the Council, it is considered that both policies are consistent with the NPPF and can be afforded full weight. None of them are out-of-date.

Whilst the primary purpose of Policy RLP2 of the Adopted Local Plan is to restrict development to development boundaries, and thus resist it in the countryside, it is considered that the policy remains broadly consistent with the Framework's approach of protecting the countryside from harmful development, and is not hindering the Council in delivering housing growth within the District. The policy is not out-of-date, and can be given moderate weight.

The aims of Policy CS5 of the Core Strategy are much wider as the policy seeks to amongst other things, protect and enhance the landscape character and amenity of the countryside. As it is effectively seeking to preserve the intrinsic character and beauty of the countryside – an objective contained within the NPPF – it is considered that this policy is not out-of-date and can be given significant weight.

The purpose of Policy RLP53 of the Adopted Local Plan is to ensure that major development that would generate significant levels of travel demand should only be granted planning permission where they have access to existing public transport services or there is potential to be well served by public transport, and that this access should be within an easy walking distance of the entire site. As it is effectively seeking to ensure a site has access to sustainable transport services – an objective contained within the NPPF – it is considered that this policy is not out-of-date and can be given significant weight.

Policy RLP80 of the Adopted Local Plan requires that new development must successfully integrate into the local landscape and that proposals that fail to do so will not be permitted. Policy CS8 of the Core Strategy is a wide ranging policy concerning the natural environment and biodiversity. Amongst other

things the policy requires that consideration is given to landscape impact. It states that development must have regard to the character of the landscape and its sensitivity to change and, where development is permitted, it will need to enhance the locally distinctive character of the landscape in a manner that accords with the Landscape Character Assessment for the area. The underlying objectives of Policies RLP80 and CS8 are to protect the landscape character and amenity of the countryside and require a decision maker to consider the established landscape character and its sensitivity to change and are considered to both be consistent with paragraph 174(b) of the NPPF and are not considered to be out of date and can be given significant weight.

Policy RLP84 of the Adopted Local Plan relates to protected species and states that planning permission will not be granted for development, which would have an adverse impact on badgers, or species protected under various UK and European legislation. Officers consider that this policy is consistent with paragraph 174(d) of the NPPF, and is not considered out of date and can be given significant weight.

Policy RLP90 of the Adopted Local Plan requires designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping. It is in line with the high quality design requirement of the NPPF. It is therefore not considered out of date and can be given significant weight.

Policy RLP95 seeks to preserve, and encourage the enhancement of, the character and appearance of designated Conservation Areas and their settings. Policy RLP100 inter alia seeks to preserve and enhance the settings of listed buildings by appropriate control over the development, design and use of adjoining land. In respect of conserving and enhancing the historic environment, the NPPF states at Paragraph 199 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 (and the more important the asset, the greater the weight should be), irrespective of whether this amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraphs 201 and 202 then set out the criteria for circumstances where a proposal would lead to substantial harm/total loss and less than substantial harm respectively. Policies RLP95 and RLP100 both pre-date the NPPF and both lack the balancing exercise contained in the Framework which requires that the identified harm in the less than substantial category should be weighed against the public benefits of the proposal. Both policies are considered to be partially consistent with the NPPF, and therefore not out-of-date and accordingly can only be afforded reduced weight. However, as set out above, the Council also have a statutory duty when assessing planning applications that affect Listed Buildings and Conservation Areas and although the Development Plan policies carry reduced weight it is clear that significant weight must be attributed to fulfilling these statutory duties.

Policy CS7 of the Core Strategy promotes accessibility for all, and in particular states that future development will be provided in accessible locations to reduce the need to travel, an objective contained within the NPPF – it is considered that this policy is not out-of-date and can be given significant weight.

When considering the basket of the most important policies for the determination of this application as a whole, it is considered that the policies are not out-of-date and are broadly consistent with the Framework.

Given that the Council can demonstrate a 5 Year Housing land Supply, and the basket of policies are not otherwise out-of-date, the 'flat' (or un-tilted) planning balance must still be undertaken which weighs the adverse impacts of the proposed development, including the conflict with the Development Plan, against the public benefits of the proposal.

In undertaking this flat planning balance, such an assessment must take account of the economic, social and environmental impact of the proposed development. As set out in Paragraph 8 of the NPPF, achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and needed to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective (to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure);
- a social objective (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being); and
- an environmental objective (to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy).

Summary of Adverse Impacts

The adverse impacts and the weight that should be accorded to these factors are set out below:

Conflict with the Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Paragraph 15 of the NPPF emphasises that the planning system should be “genuinely plan led”.

The proposed development would conflict with Policy RLP2 of the Adopted Local Plan and Policy CS5 of the Core Strategy with regard to the Council's spatial strategy as it proposes development outside of defined development boundaries and within the countryside. Significant weight is given to this conflict.

Conflict with the Section 2 Plan

The proposed development would conflict with Policy LPP1 of the Section 2 Plan as it proposes development outside the defined development boundaries and within the countryside.

Officers consider that there would be conflict with Policy LPP71 in that the level of hedgerow removal to create the new vehicular access is not known, which is likely to have a detrimental impact on the existing vegetation along The Causeway.

However, until the Section 2 Plan is adopted, only limited weight can be attributed to the conflict with these policies.

Location and Access to Services and Facilities.

With strictly limited public transport facilities and no footpath connection outside the site to the village, it is highly likely that prospective residents would be heavily reliant on private cars to access facilities for day-to-day living, even to access those limited services available in Ridgewell itself. It is considered that this would be contrary to Policy CS7 of the Core Strategy.

Furthermore, the access arrangements for the site (for which approval is sought in this outline application) fail to demonstrate a safe means of access for pedestrians and motor vehicles, leading to an unacceptable degree of hazard for all users of the highway. The lack of suitable visibility splays, together with poor footpath connections and the reliance on private cars, weigh against the proposal and is afforded significant weight.

Harm to the Character and Appearance of the Area and Landscape Character

The proposal fails to provide sufficient information with regards the loss of hedgerows along A1017 to create the new vehicular access, contrary to Policies RLP80 and RLP90 of the Adopted Local Plan and Policy CS8 of the

Core Strategy. This weighs against the proposal and is afforded moderate weight.

Summary of Public Benefits

The public benefits arising from the proposal and the weight that should be accorded to these factors are set out below:

Delivery of Market and Affordance Housing

The development would facilitate the provision of up to 24 new dwellings, of which 40% would be provided as affordable houses. However, the indicative housing mix is not in line with the identified housing needs of the District. In order to afford substantial weight to this benefit, an approval condition altering/controlling the housing mix, size and tenure would need to be imposed so as to be in line with the identified housing needs.

Economic and Social Benefits

The proposal would undoubtedly deliver economic benefits during the construction period and economic and social benefits following occupation of the development, in supporting local facilities. However, this is no more than any development and therefore this is afforded no more than moderate weight.

Summary of Neutral Factors

There is no identified harm in terms of amenity levels, ecology, drainage and flood risks. Subject to approval conditions and careful design and consideration at reserved matters stage, these matters are considered neutral in the planning balance.

The S106 contribution towards open space and health care is required to mitigate the impacts of the development and therefore have neutral impacts in the planning balance.

Planning Balance

When considering the flat planning balance and having regard to the adverse impacts and benefits outlined above and having regard to the requirements of the NPPF as a whole, Officers have concluded that the benefits of the proposal are significantly outweighed by the harms, including the harm arising from the conflict with the Development Plan and with the safety of highway network, such that planning permission should be refused in line with the Development Plan.

RECOMMENDATION

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

- 1 The proposed development falls outside of any settlement boundary. In such locations, only proposals that are compatible with and appropriate to the countryside would be permitted. The proposal is not one of those forms of development and therefore represents an encroachment to the countryside and unacceptable form of urbanisation of the rural setting of Ridgewell, to the detriment of local landscape character. Furthermore, the site is in an inaccessible location and therefore residents would be heavily reliant on private vehicles for access to services and facilities. On this basis, the proposal is contrary to the NPPF, Policies RLP2, RLP53, RLP80 and RLP90 of the Adopted Braintree District Local Plan Review (2005) Policies CS5, CS7 and CS8 of the Adopted Core Strategy (2011), Policies SP1, SP3 and SP7 of the Adopted Braintree District Shared Strategic Section 1 Local Plan (2021), and emerging Policies LPP1 and LPP44 of the Section 2 Local Plan (2017).
- 2 The proposed development, by reason of failing to provide adequate visibility splays and by failing to connect to the existing public footpath network, would represent an unacceptable degree of hazard to all users of the highway, particularly the cars and pedestrians seeking to access and egress the application site. The proposal therefore would be to the detriment of highway safety contrary to Policy RLP90 of the Adopted Braintree District Local Plan Review (2005), Policy CS7 of the Adopted Core Strategy (2011), emerging Policy LPP55 of the Section 2 Local Plan (2017), and Policies DM1 and DM9 of the Highway Authorities Development Management Policies (2011).
- 3 Adopted policies and Supplementary Planning Documents applicable to the proposed development would trigger the requirement for:
 - On site Affordable Housing
 - A financial contribution towards outdoor sport, equipped play and allotments
 - Ongoing maintenance for on-site public open space
 - A financial contribution for the NHS to ensure that the impacts of increased demand for services can be accounted for.

These requirements would be secured through a S106 Agreement. At the time of issuing this decision a S106 Agreement has not been prepared or completed.

In the absence of securing such planning obligations the proposal is contrary to Policies CS2 and CS10 of the Adopted Core Strategy (2011), Policy RLP138 of the Adopted Braintree District Local Plan Review (2005), Policy SP6 of the Adopted Braintree District Shared

Strategic Section 1 Local Plan (2021), Policy LPP33, LPP53 and LPP82 of the Section 2 Local Plan (2017), and the Open Space Supplementary Planning Document (2009).

SUBMITTED PLANS

Location Plan	Plan Ref: 20-J3402-JP	
Site Layout	Plan Ref: 20-J3402-01	
Visibility Splays	Plan Ref: 662945-10	Version: D
Proposed Site Plan	Plan Ref: TCTC-17756-PL-02	
Tree Plan	Plan Ref: TCTC-17756-PL-03	

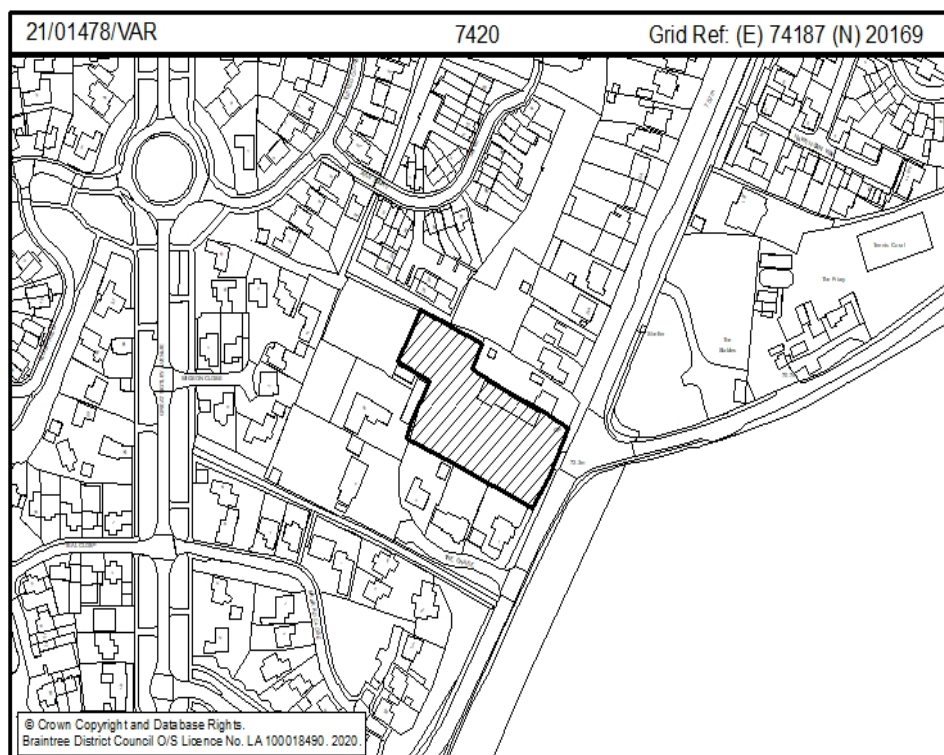
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART A

AGENDA ITEM NUMBER 5b

APPLICATION NO: 21/01478/VAR DATE: 19.05.21
VALID:
APPLICANT: South East Developments Ltd
Mr J Lynch, Woodcote, Hadleigh Road, East Bergholt, CO7 6QT, Suffolk
AGENT: Design And Development Consultancy
Mr Ian Spencer, Herringbone, Harold Way, Frinton On Sea, CO13 9BA, United Kingdom
DESCRIPTION: Variation of Condition 2 (Approved Plans) of permission 15/00176/FUL granted 19/06/2015 for: Demolition of former farm shop, piggeries, vacant dwelling and existing recreation room and erection of 6 No. detached houses with associated new access to London Road, private access road, turning head, garages and car parking spaces, foul and surface drainage and landscaping. Variation would allow: - Variation of house types and finishes. - Changes to the access / internal road layout
LOCATION: Highfields, 224 London Road, Great Notley, Essex

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



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QSOS7MBFL5W00>

SITE HISTORY

08/00010/REF	Demolition of existing buildings and erection of 3 no. detached houses	Appeal Dismissed	26.06.08
75/00150/P	Extension to existing dwelling	Granted	07.03.75
79/00422/P	Agricultural dwelling _ new farm access	Refused	
82/00961/P	Erection of single storey extension to dwelling, to provide additional living accommodation	Granted	
83/00515/P	Use of premises as garden centre and shed show site, storage _ sales of portable buildings, greenhouse, sheds, garden furniture, garden _ household sundries, paving _ rockery stones, sand, cement, pet food, fuel _ appliances, in addition to farm produce, fruit_ vegetables, etc.	Refused	
84/00458/P	Continued use of land and buildings as farm shops - plants, shrubs, nurseries, garden sheds and pet foods.	Refused	
85/01023/P	Change of use of Agricultural buildings and farm shop to residential use	Granted	
84/01587/P	Change of use to residential and erection of 5 no. detached dwelling houses and ancillary works.	Refused	
85/00798/P	Proposed residential development of 3 no. detached houses and all ancillary works	Granted	
86/01295/P	Stationing of mobile home for a temporary period	Granted	
07/01829/OUT	Demolition of existing buildings and erection of 3	Refused then	19.11.07

	no. detached houses	dismissed on appeal	
08/00421/OUT	Demolition of existing house and outbuildings and erection of 2 no. one and a half storey houses	Granted	21.04.08
15/00176/FUL	Demolition of former farm shop, piggeries, vacant dwelling and existing recreation room and erection of 6 No. detached houses with associated new access to London Road, private access road, turning head, garages and car parking spaces, foul and surface drainage and landscaping.	Granted	19.06.15
18/00119/NMA	Application for a non-material amendment following grant of planning permission 15/00176/FUL (Demolition of former farm shop, piggeries, vacant dwelling and existing recreation room and erection of 6 No. detached houses with associated new access to London Road, private access road, turning head, garages and car parking spaces, foul and surface drainage and landscaping) - Repositioning of site access to improve highway safety.	Withdrawn	29.03.18
18/00609/VAR	Application for a variation of Condition 2 of planning permission 15/00176/FUL - To move the position of the access to improve highway safety	Withdrawn	24.02.20
18/00679/DAC	Application for approval of details reserved by condition nos. 4, 8, 15 and 16 of approved application 15/00176/FUL.	Pending Consideration	
19/02221/VAR	Variation of Condition 2 'Approved Plans' of permission 15/00176/FUL	Withdrawn	24.01.20

	granted 19/06/2015 for : Demolition of former farm shop, piggeries, vacant dwelling and existing recreation room and erection of 6 No. detached houses with associated new access to London Road, private access road, turning head, garages and car parking spaces, foul and surface drainage and landscaping. Variation would allow : The single storey garage for Plot 3 to move adjacent to Plot 3.		
20/00251/FUL	Redevelopment of the site involving the erection of 1 x 5 bedroom and 2 x 4 bedroom two-storey detached dwellinghouses.	Withdrawn	30.11.20
20/00383/VAR	Variation of Condition 2 'Approved Plans' of permission 15/00176/FUL granted 19.06.2015 for: Demolition of former farm shop, piggeries, vacant dwelling and existing recreation room and erection of 6 No. detached houses with associated new access to London Road, private access road, turning head, garages and car parking spaces, foul and surface drainage and landscaping. Variation would allow: - Alterations to site layout, fenestration and garages.	Granted	17.08.20
21/01944/FUL	Erection of 2 x 3 bedroom bungalows and carport.	Pending Decision	

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy") which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

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
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP49	Pedestrian Networks
RLP56	Vehicle Parking
RLP65	External Lighting
RLP74	Provision of Space for Recycling
RLP77	Energy Efficiency
RLP90	Layout and Design of Development

Braintree District Local Development Framework Core Strategy 2011

CS7	Promoting Accessibility for All
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CS8 Natural Environment and Biodiversity

Braintree District Shared Strategic Section 1 Local Plan (2021)

SP1	Presumption in Favour of Sustainable Development
SP2	Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
SP3	Spatial Strategy for North Essex
SP4	Meeting Housing Needs
SP7	Place Shaping Principles

Braintree District Draft Section 2 Local Plan (2017)

LPP1	Development Boundaries
LPP37	Housing Type and Density
LPP44	Sustainable Transport
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP51	An Inclusive Environment
LPP55	Layout and Design of Development
LPP68	Protected Species, Priority Spaces and Priority Habitat
LPP69	Tree Protection
LPP81	External Lighting

Neighbourhood Plan

N/A

Other Material Considerations

Site Allocations and Development Management Plan
Essex Design Guide
Essex Parking Standards/Urban Space Supplement

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part B of the Council's new Scheme of Delegation at the request of the Chairman and Vice Chairman of the Planning Committee.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site lies towards the southern end of Great Notley within the development boundary. The site fronts onto London Road but is otherwise surrounded by residential development on its north, west and south.

On the site itself, 6no. 2 storey dwellings have been built following application 15/00176/FUL and 20/00383/VAR. However, as detailed within this report, the development has not been built in accordance with the approved plans.

There is an existing vehicular access to the site, which is proposed to be re-sited as part of this current application. The site is devoid of landscaping with the exception of some planting to a stretch of the southern boundary.

PROPOSAL

The application relates to the erection of 6no. dwellings. As noted above, the dwellings themselves have been built following permission granted under Application Reference 15/00176/FUL. A subsequent application (Application Reference 20/00383/VAR), then approved a change to the layout and design of the dwellings, in particular the garaging layout for Plots 2 and 3, as well as a 2 storey side 'extension' to Plots 5 and 6 rather than the single storey as approved.

The current application seeks to include the matters already approved under Application Reference 20/00383/VAR but also seeks to alter the design and appearance of the dwellings. The changes include altering the materials of the 1st floor of the dwellings from render to brick; removal of chimneys to Plots 5 and 6; and some changes to the detailed design of the facades of the dwellings. The largest change from the extant permissions is in relation to Plot 1 which alters in siting and design, includes a rear dormer window and a proposed detached side garage.

The existing access to the site would be stopped up and a new vehicular access created further south.

SUMMARY OF CONSULTATION RESPONSES

ECC Highways

Comment that the development is acceptable to the Highway Authority subject to conditions.

ECC Fire & Rescue Service

Draw attention to the following matters: Access, building regulations, water supplies, and sprinkler systems.

PARISH / TOWN COUNCIL

Great Notley Parish Council

Great Notley Parish Council object to the application and raise the following comments:

- Has been built contrary to the approved plans and requirements of planning permission;
- Includes substantial and fundamental changes;
- Work has commenced for the garage for Plot 1;

- Note that residents of The Chase have objected to the changes and the detrimental impact upon their houses;
- Note changes relate to location of houses and garages, materials, height and windows which overlook properties.

REPRESENTATIONS

The application was advertised by way of site notice; neighbour letters; and a press notice. Objection letters have been received from 3 neighbours raising the following comments:

- Application is retrospective;
- Garage on Plot 3 will result in overshadowing, additional noise and overlooking to adjacent dwellings;
- Dwelling on Plot 3 is out of keeping with the plot and area and does not support housing needs for affordable family homes;
- Plans lack details on drainage, boundary treatments or provisions, bin and cycle storage, public open/play space; landscaping; highway works;
- Plot 1 will result in overlook and be overbearing (more so if trees on Plot 1 are removed);
- The proximity of the garage to the boundary of 1 The Chase is unclear and has affected the boundary wall;
- Impact on the existing trees/ecology of The Chase;
- Question if the access will allow full access to service vehicles due to resident parking;
- Hours of working have been unsociable.

REPORT

PRINCIPLE OF DEVELOPMENT

National Planning Policy Framework (NPPF) 2021

As set out in Paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the

NPPF explains that achieving sustainable development means that the planning system has three overarching objectives: economic; social; and environmental; which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Paragraph 9 of the NPPF outlines that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, paragraph 38 of the NPPF prescribes that local planning authorities should approach decisions on proposed development in a positive and creative way and that decision-

makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 12 of the NPPF sets out that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. In addition, paragraph 47 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The NPPF underlines the Government's objective of significantly boosting the supply of homes. In this regard, paragraph 60 of the NPPF highlights the importance of ensuring that there is a sufficient amount and variety of land that can come forward where it is needed, that specific housing requirements are met, and that land with permission is developed without unnecessary delay.

Paragraph 74 of the NPPF outlines that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against (in the case of Braintree District) our 'local housing need' plus the relevant buffer.

In this regard, and in considering the overall planning balance as to whether the proposed development subject to this application constitutes sustainable development, an important material consideration in this case is whether the Council can robustly demonstrate a 5 Year Housing Land Supply. This will affect whether Paragraph 11 of the NPPF is engaged and consequently the weight that can be attributed to the Development Plan.

The Development Plan

Currently the Council's statutory Development Plan consists of the Braintree District Local Plan Review (2005), the Braintree District Core Strategy (2011), and the Shared Strategic Section 1 Local Plan (2021).

The application site is located within a development boundary, wherein the principle of development is accepted. There is also an extant planning permission on site. The principle of development is therefore established and remains acceptable.

5 Year Housing Land Supply

The Council publishes a 5 year housing land trajectory as of 31st March each year, the most recent position therefore is that of 31st March 2021. Within this trajectory the Council considered that it has a 5.34 year supply of housing, based on a 5% buffer.

At its full Council on the 22nd February 2021, Braintree District Council approved the adoption of the Shared Strategic Section 1 Local Plan. On its adoption, the Council must meet the housing requirement set out in that Plan.

This is a minimum of 14,320 homes between 2013-2033 or an annual average of 716 new homes per year. This replaces the previous consideration of housing need based on the Standard Methodology.

The latest Housing Delivery Test (HDT) results were published in January 2021. The new results (which include an allowance for the impact of the current pandemic) confirm that the Council no longer needs to apply a 20% buffer and can revert to the usual 5% buffer. This applies from the day of the publication of the results.

This supply position does not include sites which are proposed to be allocated within the Section 2 Plan but do not yet have planning permission or a resolution to grant planning permission.

These allocations without permission will be tested at the forthcoming Section 2 Plan Examination. Once the Section 2 Plan is adopted, these sites will become adopted allocations and greater weight can be given to them, if there is clear evidence that there is a realistic prospect that housing will be delivered on the site within five years.

Given all of the evidence before it – including the use of the new housing requirement from the Shared Strategic Section 1 Local Plan and the use of a 5% buffer, the Council considers that the current 5 year Housing Land Supply for the District is 5.34 years.

As the Council can demonstrate the required five Year Housing Land Supply the 'tilted balance' pursuant to Paragraph 11d) of the NPPF is not engaged due to a lack of housing land supply.

SITE ASSESSMENT

Layout, design and appearance

Paragraph 126 the NPPF highlights that the creation of high quality buildings, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable developments, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

In addition to this, Policy RLP90 of the Adopted Local Plan requires designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping. Policy LPP55 of the Section 2 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.

Policy SP7 of the Section 1 Plan states that all new development must meet high standards of urban and architectural design and provides a number of place making principles.

The general internal layout of the development remains as per the extant permissions, with dwellings sited to front onto the internal access road in an informal arrangement. This approach remains acceptable and would create a pleasing street arrangement that would not be harmful to the character of the locality.

This application seeks a change to the size and siting of Plot 1 together with a new detached garage, proposed to be built towards the site frontage. The dwelling would be no taller in height but does have a larger footprint and the dwelling would be closer to the site frontage. However, it would not be closer to the roadside than adjacent development (in particular No. 1 The Chase which is sited much closer to London Road) and the dwelling would not be unduly prominent or harmful to the character of the area. Equally, the plot size would be appropriate for the dwelling such that it would not appear cramped or congested on the site. The detached garage proposed for Plot 1 is sited to ensure that it would appear subservient to the host dwelling. Its siting will enable the trees on the boundary to be retained. Furthermore, the garage by reason of its size and design, siting set back from the roadside, and due to the proposed planting to the London Road boundary, would ensure that this also would not appear unduly prominent.

Across the site, the height of dwellings remain as per the extant permissions. Other changes to the general layout and siting include changes to the garaging to Plot 2 and 3. The siting of garaging to be attached to the dwellings creates a high quality design. Furthermore, these specific changes have already been approved under Application Reference 20/00383/VAR and remain acceptable.

This Section 73 application also seeks to make some modest changes to the detailed appearance of the dwellings and include a change from a 2 storey height bay window feature on Plots 2, 3 and 4 to a single storey bay window at ground floor; insertion of a front dormer within the roofspace of the garage for Plot 3; an altered roof design for the approved rear dormers; and a new rear dormer inserted to Plot 1. In addition, the previously approved chimneys to Plots 5 and 6 are no longer sought. These changes are considered to have a limited impact upon the character and appearance of the scheme as a whole. Whilst the removal of the chimneys to Plots 5 and 6 does dilute the quality of these specific dwellings, given that they are not unduly prominent within the street scene, the removal of this feature is on balance accepted. Overall these changes are considered to have a limited impact upon the character and appearance of the scheme as a whole and the development would be of a high quality layout and design.

A change is also proposed to the materials for the dwellings. The extant permissions approved the use of render above a brick plinth, whereas the first floor of all the dwellings have been constructed in brickwork. There are no objections to the use of the bricks, which is considered sympathetic to the character and appearance of the locality and which adds to the quality of the scheme. The use of clay tiles and slates for the roof is equally acceptable.

The layout of the development will continue to result in acceptable levels of amenity for future occupiers. Internally, the dwellings will be provided with accommodation in accordance with the Nationally Described Space Standards (NDSS), whilst externally the gardens are provided with amenity space in accordance with the Essex Design Guide (EDG).

Impact on Neighbouring Residential Amenities

One of the core principles set out in the NPPF is that planning should 'always seek to secure a high quality of design and a good standard of amenity for all existing and future occupants'. This is supported by Policy RLP90 of the Local Plan Review which states that 'there shall be no undue or unacceptable impact upon the amenity of any nearby residential properties'. The emerging plan has similar objectives.

The changes to the garage siting for Plots 2 and 3 have already been granted and remain acceptable. A new dormer window is proposed within the front elevation of the garage on Plot 3, but this would overlook the internal parking area and flank of Plot 2, with no increased impact to neighbours. Other changes to these plots in terms of changes to the design of the bay of their front elevation would not affect neighbours amenity.

On Plots 5 and 6 the change to remove the chimneys results in no harm to neighbours amenity.

The most significant change within this Section 73 application relates to the proposed changes to Plot 1 and it is here that there is most potential to impact upon neighbour amenity, in particular to No.1 The Chase that lies to the south/south-west. In terms of fenestration approved on the extant permission for the rear elevation of Plot 1, this included large patio doors at ground floor and 2 obscure glazed en-suite windows at first floor, with rooflights serving the roofspace. This Section 73 application seeks large bi-fold patio doors at ground floor, whilst at first floor 2 obscure glazed windows for a bathroom / en-suite would be provided along with a further window at first floor which serves a bedroom. Within the roofspace a dormer has been inserted with obscure glazing serving an en-suite.

There is existing tree / hedge planting along the boundary to the rear of Plot 1 (which is sited within the development site boundary), and a condition imposed on the original and later Section 73 application, required the retention of these. This existing planting does prevent unacceptable overlooking occurring from the rear of Plot 1 into No.1 The Chase, and thus Officers have re-imposed the condition to ensure their retention. However, the

planting (Lawson Cypress / Confers) are in a very poor condition from the side of the development site. Officers have concerns that future occupiers would seek to remove these (Members will be aware that any condition to retain the planting will only secure this for 5 years). Any removal of the trees/hedging would open up the site such that opportunity for overlooking would be increased. Although there is some landscaping within the garden of No.1 The Chase, this is not of such a level to prevent unacceptable overlooking. Given the above concern regarding the likelihood of the planting being retained long term, Officers have considered the impact of the development on the basis that these may not be retained.

The 1st floor bathroom and en-suite window, and the dormer window are installed with obscure glazing. This would prevent unacceptable overlooking and a condition can be imposed to retain the windows in this manner. However, the 1st floor rear bedroom window is currently fitted with clear glazed glass, such that overlooking to the garden of No.1 The Chase could occur. To prevent such overlooking, Officers are seeking to impose a condition to require, that prior to the first occupation of the dwelling, this window be obscure glazed up to a height of 1.7 metres from the floor level of the room. Although obscure glazing a habitable window is not a preferred approach, in this instance, given that it is a bedroom window, and the property is a 5 bedroom property with this being one of the smaller bedrooms, it is on balance considered acceptable. It is not considered reasonable to require this to be non-opening or top hung (which may be in conflict with Building Regulations), as the opportunity for overlooking would be limited only to the occasion when the window would be open.

Turning to the neighbour impact of the proposed garage, due to its size and siting, it would not appear unduly prominent to neighbours nor would it adversely impact upon their outlook or light. Concerns from third parties regarding the condition of existing boundary treatments of neighbours, fall to be a civil matter in relation to the Party Wall Act.

Highway Considerations

Within the original permission and the later Section 73 application, the vehicular access to the site was moved further south (and thus away from the mini roundabout).

The access proposed within this application is re-sited only slightly further south from the existing access, which would be closed. Essex County Council as the Highway Authority have reviewed this and raise no objections.

In regards to the general internal access route this is very similar to the extant permissions and is acceptable. The application includes details of surface water drainage to ensure that this is not dispersed onto the highway.

Each dwelling is provided with a garage (double garage for Plot 1), however these do not meet with the Councils parking standards as set out within the Adopted Standards which require an internal dimension of 7 x 3 metres. The

garages cannot therefore be counted as a parking space (although are of a size that occupiers may choose to park their vehicle there), but rather form storage provision and similar.

In terms of driveway and surface level parking, a 'parking plan' has been submitted which confirms that each dwelling will otherwise be provided with 2 allocated spaces (with Plot No.1 being provided with 3 driveway spaces in addition to the garage). Although no formal visitor spaces are provided (the site would require 1.5 spaces), there is some space across the site for informal visitor parking. Parking restrictions on London Road would prevent indiscriminant parking.

Habitat Regulations Assessment (HRA / RAMS)

Natural England published revised interim guidance on 16th August 2018 in connection with the emerging strategic approach relating to the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitat Regulations. The application site sits within the identified 'Zone of Influence' where new development of this type is likely to have a direct effect on areas of the Essex Coastline which are protected by International, European and National wildlife designations through increased visitor pressure on these sites. It is therefore necessary, in accordance with Natural England's standard guidance on this matter for the Council to secure mitigation measures to prevent the development causing a likely significant adverse effect upon the integrity of these sites if planning permission is granted. The mitigation measure consists of the securing of a financial contribution of £127.30 per new dwelling erected towards offsite visitor management measures at the above protected sites. An 'HRA Form' has been completed and the financial contribution has been secured by way of an upfront card payment made under S111 of the 1972 Local Government Act.

Flood Risk and Drainage

The site lies within Flood Zone 1 (a low probability of flood risk). Given the size of the site and scale of the proposed development, there is no requirement to submit a Flood Risk Assessment (FRA) or Drainage Strategy.

As noted above, the application has been submitted with drainage details in relation to surface water. Officers are content that these details are acceptable and would ensure that surface water would not be dispersed onto the public highway.

Contamination

A condition in relation to contamination of the site was imposed on the original application. Further information was then submitted to address the requirements of the condition and the Council's Environmental Health Section

were satisfied with the contents. Matters in relation to contamination have therefore been appropriately addressed.

PLANNING BALANCE AND CONCLUSION

As set out within Paragraph 47 of the NPPF, planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the application site is located within a designated development boundary where the principle of development is generally considered to be acceptable in accordance with Policy RLP3 of the Adopted Local Plan, and Policy LPP1 of the Section 2 Plan.

Paragraph 60 of the NPPF sets out the Government's objective of significantly boosting the supply of homes. The main mechanism within the NPPF for achieving this is the requirement that local planning authorities demonstrate a five-year supply of deliverable housing land, assessed against housing need. In this regard, the Council is currently able to demonstrate a Housing Land Supply of 5.34 years against its housing need. As such the Council is presently meeting this objective.

Until the adoption of the Section 2 Plan, the sites which are proposed to be allocated but do not yet have planning permission or a resolution to grant planning permission, have not been included within the 5 Year Housing Land Supply calculation.

As such, although the Council can currently demonstrate a 5 Year Housing Land Supply, this is finely balanced, and currently only marginally exceeds the 5 year threshold.

As the Council can demonstrate the required 5 Year Housing Land Supply the 'tilted balance' pursuant to Paragraph 11d) of the NPPF is not engaged due to a lack of housing land supply. It is therefore necessary to identify the most important policies for determining the application and to establish whether these are out-of-date. Paragraph 219 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater weight that may be given).

In this case the basket of policies which are considered to be the most important for determining the application are Policies SP1 and SP3 of the Section 1 Plan and Policies RLP2, RLP3 of the Adopted Local Plan.

Policy SP1 of the Section 1 Plan states that when considering development proposals the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF, and will seek to approve proposals wherever possible, and to secure development that improves the economic, social and environmental

conditions in the area. Policy SP3 of the Section 1 Plan sets out the spatial strategy for North Essex, namely to accommodate development within or adjoining settlements according to their scale, sustainability and existing role both within each individual Districts, and where relevant, across the wider strategic area. Further growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting. As the Section 1 Plan has been found to be sound and recently adopted by the Council, it is considered that both policies are consistent with the NPPF and can be afforded full weight. Neither are out-of-date.

Whilst the primary purpose of Policy RLP2 of the Adopted Local Plan is to restrict development to development boundaries, and thus resist it in the countryside, it is considered that the policy remains broadly consistent with the Framework's approach of protecting the countryside from harmful development, and is not hindering the Council in delivering housing growth within the District. The policy is not out-of-date, and can be given moderate weight. Policy RLP3 of the Adopted Local Plan seeks to permit residential development within village envelopes and town development boundaries, where it satisfies amenity, design, environmental and highway criteria and where it can take place without material detriment to the existing character of the settlement. As with Policy RLP2, it is considered that the policy remains broadly consistent with the Framework as it seeks to secure sustainable development. The policy is not out-of-date, and can be given more than moderate weight.

When considering the basket of the most important policies for the determination of this application as a whole, it is considered that the policies are not out-of-date and are broadly consistent with the Framework.

Given that the Council can demonstrate a 5 Year Housing land Supply, and the basket of policies are not otherwise out-of-date, the 'flat' (or untilted) planning balance must still be undertaken which weighs the adverse impacts of the proposed development, including the conflict with the Development Plan, against the public benefits of the proposal.

In undertaking this flat planning balance, such an assessment must take account of the economic, social and environmental impact of the proposed development. As set out in Paragraph 8 of the NPPF, achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and needed to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective (to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure);

- a social objective (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being); and
- an environmental objective (to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy).

Summary of Adverse Impacts

The development is not considered to result in any adverse impacts.

Summary of Public Benefits

The public benefits arising from the proposal and the weight that should be accorded to these factors are set out below:

Delivery of Market Housing

Although the development would deliver market dwellings, given the scale of development, only limited weight would be assigned to this.

Location and Access to Services and Facilities

The site lies within the settlement boundary and is close proximity to services and facilities. Substantial weight is assigned to this.

Economic and Social Benefits

There is an economic benefit, due to the creation of jobs during construction and the contribution that the occupiers of the new dwelling would make to the local economy. There would also be a social benefit, due to the creation of the new dwellings. However, the application proposes only 6 dwellings and this lessens the positive weight that can be assigned.

Planning Balance

When considering the flat planning balance and having regard to the benefits outlined above, and having regard to the requirements of the NPPF as a whole, Officers have concluded that the lack of harm in this case is outweighed by the benefits of the proposal. Consequently it is recommended that planning permission is granted for the proposed development.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:

Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Location Plan	Plan Ref: 10	Version: A
Site Plan	Plan Ref: 11	Version: C
Landscaping	Plan Ref: 20	Version: E
Parking Strategy	Plan Ref: 24	Version: A
Proposed Floor Plan	Plan Ref: 1811-1164-101	Version: B Plot 1
Proposed Roof Plan	Plan Ref: 1811-1164-102	Version: B Plot 1
Proposed Sections	Plan Ref: 1811-1164-103	Version: B Plot 1
Proposed Elevations	Plan Ref: 1811-1164-104	Version: B Plot 1
Proposed Floor Plan	Plan Ref: 1811-1164-201	Version: A Plot 2
Proposed Roof Plan	Plan Ref: 1811-1164-202	Version: A Plot 2
Proposed Sections	Plan Ref: 1811-1164-203	Version: A Plot 2
Proposed Elevations	Plan Ref: 1811-1164-204	Version: A Plot 2
Proposed Floor Plan	Plan Ref: 1811-1164-301	Version: E Plot 3
Proposed Roof Plan	Plan Ref: 1811-1164-302	Version: E Plot 3
Proposed Sections	Plan Ref: 1811-1164-303	Version: E Plot 3
Proposed Elevations	Plan Ref: 1811-1164-304	Version: E Plot 3
Proposed Floor Plan	Plan Ref: 1811-1164-401	Version: G Plot 4
Proposed Roof Plan	Plan Ref: 1811-1164-402	Version: G Plot 4
Proposed Sections	Plan Ref: 1811-1164-403	Version: G Plot 4
Proposed Elevations	Plan Ref: 1811-1164-404	Version: G Plot 4
Proposed Floor Plan	Plan Ref: 1811-1164-501	Version: G Plot 5
Proposed Roof Plan	Plan Ref: 1811-1164-502	Version: G Plot 5
Proposed Sections	Plan Ref: 1811-1164-503	Version: G Plot 5
Proposed Elevations	Plan Ref: 1811-1164-504	Version: G Plot 5
Proposed Floor Plan	Plan Ref: 1811-1164-601	Version: G Plot 6
Proposed Roof Plan	Plan Ref: 1811-1164-602	Version: G Plot 6
Proposed Sections	Plan Ref: 1811-1164-603	Version: G Plot 6
Proposed Elevations	Plan Ref: 1811-1164-604	Version: G Plot 6
Garage Details	Plan Ref: 8	Version: Plot 1
Other	Plan Ref: 9	

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

Reason

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

- 2 No occupation of the development hereby approved shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- Location and design of refuse bin and recycling materials storage areas and collection points;
 - Any proposed external lighting;
 - All boundary treatments;
 - Hard surfacing materials;
 - Full soft landscaping plan to include species, densities, and implementation timetable.
- The development shall be constructed in accordance with the approved details.

Reason

In the interest of promoting sustainable forms of development, the appearance of the development, and the amenity of future and neighbouring occupiers

- 3 No occupation of the site shall occur until the surface water drainage system as detailed within the application has been provided in full and is operational.

Reason

In the interests of the sustainability and water management.

- 4 No occupation shall occur until a 2m wide footway from the site access, continuing south to join with the footway/cycleway adjacent to the Chase, has been provided, details of which shall have previously been submitted to and approved in writing to the local planning authority prior to its provision.

Reason

To aid pedestrian access to and from the site and within the vicinity of the site.

- 5 The existing lawson cypress on the south-western boundary shall be retained. Should any of these die, be removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development, they shall be replaced, in the next planting season or other timescale as agreed, with details of the replacement size, species and densities to be first agreed in writing with the Local Planning Authority.

Reason

In the interests of neighbouring amenity and the visual amenity and quality of the development.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement or alterations of the dwelling-houses shown on the approved plans, as permitted by Class A, B, C or E of Part 1 of Schedule 2 of that Order, shall be carried out without first obtaining planning permission from the local

planning authority.

Reason

In the interests of amenity.

- 7 No occupation shall occur until the vehicular access has been constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall be 6m, shall be retained at that width for 6m within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

Reason

To ensure that vehicles can enter and leave the highway in a controlled manner in the interests of highway safety.

- 8 No occupation shall occur until the existing accesses on to London Road have been suitably and permanently closed, incorporating the reinstatement to full height of the highway verge kerbing, in accordance with details which shall have been previously approved by the local planning authority.

Reason

To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

- 9 No occupation of Plot 1 shall occur until the bedroom window on the rear first floor elevation has been fitted with obscured glazing to a minimum of level 3 to a height of 1.7 metres above the finished internal floor level of the room. The window shall thereafter be retained in this manner.

Reason

In the interests of residential amenity and in order to secure the privacy of adjoining occupiers.

- 10 The first floor rear en-suite windows and the rear en-suite roof dormer window to Plot 1 shall be retained with obscure glazing to a minimum of level 3 to a height of 1.7 metres above the finished internal floor level of the room.

Reason

In the interests of residential amenity and in order to secure the privacy of adjoining occupiers.

INFORMATION TO APPLICANT

1 In regards to Condition 9 and 10 you are advised that glazing to provide privacy is normally rated on a Pilkington or equivalent scale of 1-5, with 5 providing the most privacy.

2 If the development for which you have been granted planning permission involves the allocation of a new postal number(s) would you please contact the Planning Department, Causeway House, Braintree, CM7 9HB. Tel Braintree 552525, upon commencement of the development to enable the early assignment of a postal number(s).

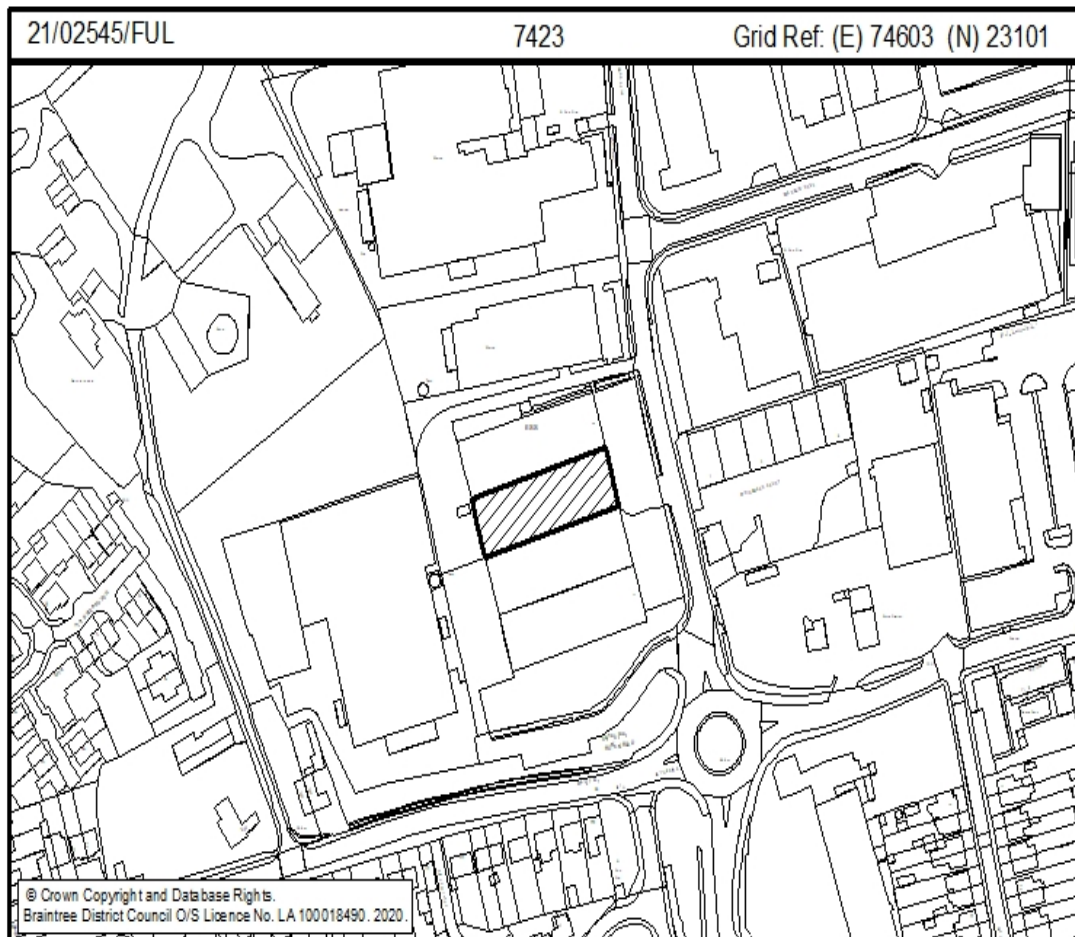
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART A

AGENDA ITEM NUMBER 5c

APPLICATION NO: 21/02545/FUL DATE: 12.08.21
VALID:
APPLICANT: C/o Euro Car Parts Ltd
1 Colmore Square, Birmingham, B4 6AJ, United Kingdom
AGENT: Cushman & Wakefield
Mr Mark Jackson, 1 Colmore Square, Birmingham, B4 6AJ
DESCRIPTION: Retention of change of use from Use Class B2 (Industrial)
to Use Class B8 (Storage & distribution) with ancillary trade
counter.
LOCATION: 3 Springwood Court, Braintree, Essex, CM7 2GB

For more information about this Application please contact:
Jack Street on:- 01376 551414 Ext. 2515
or by e-mail to: jack.street@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QXPYEXBFFFP00>

SITE HISTORY

None

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy") which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

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

RLP27	Location of Employment Land
RLP28	Employment Land Provision
RLP33	Employment Policy Areas
RLP36	Industrial and Environmental Standards
RLP41	Employment Allocation, Springwood Drive, Braintree
RLP56	Vehicle Parking
RLP62	Development Likely to Give Rise to Pollution or the Risk of Pollution
RLP90	Layout and Design of Development

Braintree District Local Development Framework Core Strategy 2011

CS7	Promoting Accessibility for All
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Braintree District Shared Strategic Section 1 Local Plan (2021)

SP1	Presumption in Favour of Sustainable Development
SP5	Employment
SP7	Place Shaping Principles

Braintree District Draft Section 2 Local Plan (2017)

LPP1	Development Boundaries
LPP2	Location of Employment Land
LPP3	Employment Policy Areas
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development

Neighbourhood Plan

N/A.

Other Material Considerations

Site Allocations and Development Management Plan
Essex Parking Standards/Urban Space Supplement

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part A of the Council's new Scheme of Delegation as the application is categorised as a Major planning application.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site is located within Springwood Court, which forms part of the wider Springwood Industrial Estate within the western section of the Braintree Town Development Boundary. The building subject to this

application is the middle of three structures sited on the western side of Springwood Drive, located close to the entrance point to the industrial estate from Pod's Brook Road/Rayne Road roundabout junction.

The structure subject to this application demonstrates the expected features of a building used for industrial purposes, and thus is in keeping with the pattern of surrounding development across the wider estate. Access to the site is via a single access point off Springwood Drive, with parking provided in front of the structure. Loading facilities are provided to the front also.

The structure measures a total floorspace of approximately 1,370sq.m, which is formed primarily of a warehouse, storage facilities, a sales office, ancillary trade counter and staff facilities such as a toilet and staff room. The building is currently operated by Euro Car Parts.

PROPOSAL

The application relates to the retention of a Class B8 (Storage & distribution) use with ancillary trade counter, which was previously converted from Class B2 (Industrial). The building has been in its current use for eight years, and has not attracted any enforcement action during this time.

No external alterations or enlargements are proposed, and the nature of the application is only to control the change of use of the building.

SUMMARY OF CONSULTATION RESPONSES

ECC Highways

The Highway Authority made no comments on the application.

REPRESENTATIONS

A site notice was displayed at the entrance to the application site for a 21 day period and immediate neighbours were notified in writing. No representations have been received.

REPORT

PRINCIPLE OF DEVELOPMENT

Paragraph 11 of the National Planning Policy Framework [NPPF] (2021) sets out that plans and decisions should apply a presumption in favour of sustainable development. Paragraph 12 of the NPPF states, however, that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. In addition, paragraph 47 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Currently the Council's statutory Development Plan consists of the Braintree District Local Plan Review (2005), the Braintree District Core Strategy (2011), and the Braintree District Shared Strategic Section 1 Local Plan (2021).

The site lies within an Employment Policy Area as outlined on the Proposals Map contained within the Adopted Core Strategy. Policy RLP41 of the Adopted Local Plan outlines that Springwood Drive is allocated for B1, B2 and B8 employment use and/or for formal leisure use, comprising swimming facilities, sports courts and pitches and changing facilities.

Policy RLP33 of the Adopted Local Plan states that within defined Employment Policy Areas proposals for uses other than those within Use Classes B1, B2, and B8 will be refused, which is further reinforced by Policy RLP28 of the Adopted Local Plan. This is reflected in emerging Policy LPP3 of the Section 2 Plan. Policy LPP2 of the Section 2 Plan states that all employment sites, including sites or buildings in current or recent use as an employment site, will be retained for such uses where they continue to offer a viable and sustainable location for such employment uses.

Paragraph 82 of the NPPF outlines that planning policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration. Paragraph 83 of the NPPF states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for storage and distribution operations at a variety of scales and in suitably accessible locations.

The proposal is considered to be acceptable in principle.

SITE ASSESSMENT

Layout, design and appearance

Paragraph 126 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 134 makes reference to the requirement for good design, and how a failure to achieve good design can warrant refusal of a planning application, specifically where poor design fails to take the opportunities available for improving the character and quality of an area.

In addition to this, Policy RLP90 of the Adopted Local Plan requires designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping. Policy LPP55 of the Section 2 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 general layout, design and appearance of the structure will remain unchanged due to the nature of the application to retain the use it has operated under since August 2013. No alterations to the access via Springwood Drive is proposed, nor any internal alterations or enlargements to the main building. It is noted that the structure was subject to a previous application which permitted the replacement of its elevations and roof (Application Reference 20/02013/FUL) and it is understood its appearance will remain unchanged from that deemed acceptable by the previous application.

Impact on Neighbouring Residential Amenities

One of the core principles set out in the NPPF is that planning should 'always seek to secure a high quality of design and a good standard of amenity for all existing and future occupants'. This is supported by Policy RLP90 of the Adopted Local Plan which states that 'there shall be no undue or unacceptable impact upon the amenity of any nearby residential properties'. The emerging plan has similar objectives.

The change to the use of the building from industrial (B2) to storage and distribution (B8) is not considered likely to harm the residential amenities of neighbouring properties. The site is contained within a designated industrial park, with its closest residential neighbours some distance away to the south and south-west of the site, separated by Rayne Road. There is an existing dense landscaping buffer to the north of Rayne Road, which serves to shield the industrial estate from the residential street scene to the south.

The site is sited in the locality of several industrial and commercial premises, and has operated within its current use since August 2013 without attracting complaint nor enforcement action. It is unlikely that the change of use has therefore detrimentally impacted the amenity of local businesses.

The application is therefore considered to satisfy national and local policies designed to safeguard neighbouring residential amenity.

Highway Considerations

Policy RLP56 of the Adopted Local Plan and Policy LPP45 of the Section 2 Plan commits the LPA to the guidance outlined in the ECC Parking Standards (2009). Information contained within this document includes guidance for parking provision within sites designated as Use Classes B1, B2 and B8.

The parking provision for the previous B2 use required 1 space per 50sq.m for vehicles, 1 space per 250sq.m per staff plus 1 space per 500sq.m for visitors in terms of cycling, as well as further guidance relating to power two-wheel (PTW) vehicles and spaces for disabled access. The provisions contained within the Parking Standards relating to B8 use are lower; 1 space per

150sq.m plus 1 space per 20sq.m retail area for customer parking in terms of vehicles, 1 space per 500sq.m for staff plus 1 space per 1000sq.m for visitors.

The site contains a number of designated parking spaces that conforms with the requirements of the Parking Standards for customer parking. Additional parking has been observed by Officers to the rear of the structure, and its provision accords with the requirements of the Parking Standards. It is noted that the parking requirement outlined for B8 use is lesser than that of B2 uses, wherein the supposed change represents a greater conformity than the previous use of the building in respects to the Parking Standards.

The ECC Highway Authority was invited to comment on the application, and wished to make no comment. In the absence of a holding objection or any concerns on highways grounds, there is not considered to be an identified harm with respects to highway safety or parking.

Flood Risk and Drainage

The site lies within Flood Zone 1 (a low probability of flood risk). Given the nature of the proposed development, there is no requirement to submit a Flood Risk Assessment (FRA) or Drainage Strategy.

Contamination

No areas of contaminated land have been identified during this application, and the Council's Environmental Health Section have no comment to suggest otherwise. Given the nature of the application, it is unlikely that any contamination concerns will arise wherein the application is acceptable in this regard.

CONCLUSION

The site is located within an Employment Policy Area as outlined on the Proposals Map contained within the Adopted Core Strategy. Policy RLP33 of the Adopted Local Plan states that within defined Employment Policy Areas proposals for uses other than those within Use Classes B1, B2, and B8 will be refused, which is further reinforced by Policy RLP28 of the Adopted Local Plan. In addition, Policy RLP41 of the Adopted Local Plan specifically outlines that Springwood Drive is allocated for B1, B2 and B8 employment use. The proposed change is thus consistent with policy considerations.

The business employs 21 people on a full-time basis and provides a service to the general public that has maintained operation for 8 years, wherein the application carries an economic and social benefit to the local community consistent with the planning objectives contained within Paragraph 11 of the NPPF.

In terms of layout, design, and appearance, no external alterations or enlargements to the structure are proposed wherein local design policies are not engaged. No adverse impact arising from the change of use has been

identified with respects to neighbouring residential amenity. In addition, no adverse impacts have been identified on highways grounds, nor environmental health. The application is 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

Location Plan	Plan Ref: AC/19274/SP A
Existing Floor Plan	Plan Ref: AC/19274 C
Proposed Floor Plan	Plan Ref: AC/19274 C

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

Reason

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

- 2 The building shall only be used for B8 use (including ancillary trade counter) and for no other purposes.

Reason

To ensure that no alternative use is made of the premises which would be detrimental to the designated employment area, amenities of the locality and neighbouring amenity.

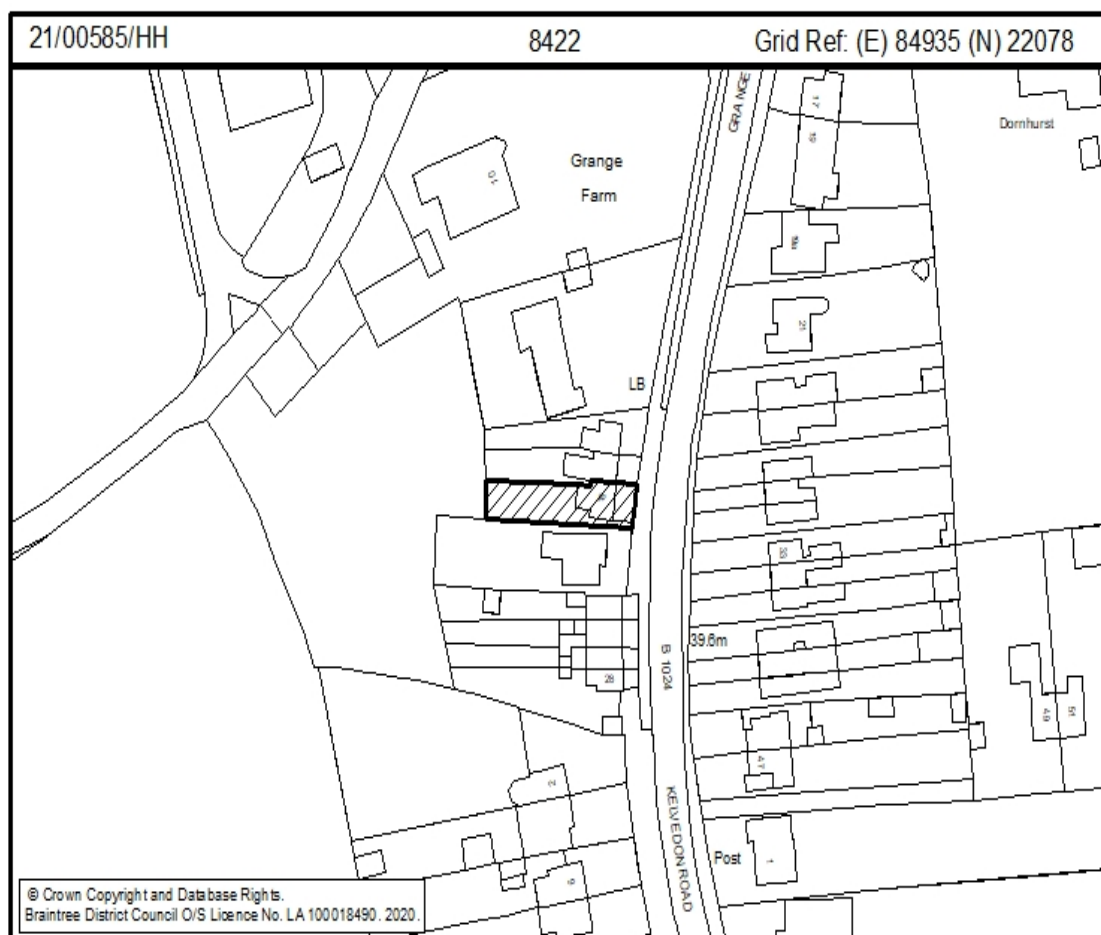
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART B

AGENDA ITEM NUMBER 5d

APPLICATION NO: 21/00585/HH DATE: 19.02.21
VALID:
APPLICANT: Councillor Tom Walsh
18 Grange Hill, Coggeshall, Essex, CO6 1RE
AGENT: Mr Tom Hogg
Edward Parsley Associates Ltd, West End Barn, The Street,
Rayne, Braintree, CM77 6RY, United Kingdom
DESCRIPTION: Single-storey rear extension and internal alterations
LOCATION: 18 Grange Hill, Coggeshall, Essex, CO6 1RE

For more information about this Application please contact:
Ellen Cooney on:- 01376 551414 Ext. 2501
or by e-mail to: ellen.cooney@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QORNM7BFJLN00>

SITE HISTORY

88/00027/DC	DC Appeal	Appeal Allowed
21/00586/LBC	Single-storey rear extension and internal alterations	Pending Decision

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy) which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

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
RLP56	Vehicle Parking
RLP90	Layout and Design of Development
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings

Braintree District Local Development Framework Core Strategy 2011

Braintree District Shared Strategic Section 1 Local Plan (2021)

SP1	Presumption in Favour of Sustainable Development
SP7	Place Shaping Principles

Braintree District Draft Section 2 Local Plan (2017)

LPP1	Development Boundaries
LPP38	Residential Alterations, Extensions and Outbuildings
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development
LPP60	Heritage Assets and their Settings

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part A of the Council's new Scheme of Delegation as the applicant is a Member of Braintree District Council.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site is located within the Coggeshall development boundary and within the Coggeshall Conservation Area. The dwelling is an end of terrace property which is Grade II listed as part of a group listing with No.14 and No.16 Grange Hill. The property forms part of a ribbon development along Grange Hill, which connects Coggeshall with Kelvedon.

PROPOSAL

The application seeks planning permission for a single storey rear extension. A linked application for listed building consent has also been submitted (Application Reference 21/00586/LBC).

SUMMARY OF CONSULTATION RESPONSES

Historic Buildings Consultant

No objection following revisions simplifying the form and detailing of the extension. Conditions should be added to the decision with regards to materials and detailing of windows and doors.

REPRESENTATIONS

No neighbour representations have been received.

PARISH / TOWN COUNCIL

Coggeshall Parish Council

No objection to the application.

REPORT

Principle of Development

The proposal is for a single storey rear extension. The application site is located within the Coggeshall development boundary where the principle of development is acceptable as established by Policy RLP17 of the Adopted Local Plan and Policy LPP38 of the Section 2 Plan, subject to design, amenity and highway criteria.

Design and Appearance

Paragraph 126 of the NPPF states inter alia that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy RLP17 of the Adopted Local Plan and Policy LPP38 of the Section 2 Plan 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.

Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Section 2 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 proposal is for a single storey rear extension. The extension would measure 3.6 metres in depth and 4 metres in width and would comprise a new dining area and downstairs bathroom. The proposal would be clad in smooth render to match the host dwelling. The extension would have a dual pitched roof with a set of French doors and a window inserted into the rear elevation and a window inserted into the side elevation facing away from the adjacent neighbouring property. The proposed extension has been revised and simplified to better correspond to the character and appearance of the host dwelling, better referencing the features of the listed building.

Due to the positioning of the extension, it would not be viewable from the street scene. It is considered that the proposal would be in keeping with the design and appearance of the host dwelling and is compliant with the abovementioned policies.

Heritage

When considering the impact of development on a historical asset the National Planning Policy Framework (NPPF) specifically states in Paragraph 200 that;

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

Policy RLP95 of the Adopted Local Plan and Policy LPP56 of the Section 2 Plan states that developments will only be approved where they seek to protect and enhance the character and appearance of the Conservation Area.

Policy RLP100 of the Adopted Local Plan and Policy LPP60 of the Section 2 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.

The proposal has been simplified to better respond to the existing character of the listed building. Namely simplifying the roof form and fenestration arrangement. The Historic Buildings Consultant has advised that the revised plans would not harm the character of the building and would not result in a compromise of any important architectural elements of the building. The proposal would not be viewable from within the public realm within the Conservation Area and it is not considered that the extension would have a detrimental impact on the character and appearance of the Conservation Area. The Historic Buildings Consultant has requested conditions be added to the permission regarding material samples, the opening up works for the new doorway and scale drawings of new windows and doors to ensure a high quality finish of the development. These conditions would be most appropriately imposed on the related application for Listed Building Consent.

The works are considered to be appropriate and would not harm the significance of the listed building and therefore the proposal is compliant with the abovementioned policies.

Impact on Neighbouring Amenity

Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Section 2 Plan both require that extensions should result in no unacceptable adverse impact on the amenities of adjoining properties, including on privacy, overshadowing and loss light.

No.18 is an end of terrace property which is part of a ribbon of development along Grange Hill. No.16, the attached dwelling, has an existing part two, part single storey rear extension and the proposed extension at No.18 would not extend any further than this in depth. The extension would be located approximately 3.1 metres from the boundary with No.20 and would be partially obscured by an existing outbuilding. The scale of the development and its positioning within the plot means that it would not be overbearing in nature. No.18 is also sited at a lower level than No.20 which results in the extension having a lesser impact.

Therefore the proposal is not considered to have a detrimental impact on neighbouring amenity in terms of overlooking, overbearing, overshadowing or loss of light.

Highway Considerations

Policy RLP56 of the Adopted Local Plan and Policy LPP45 of the Section 2 Draft Local Plan both require that all new development is provided with sufficient vehicle parking in accordance with Essex County Council's Vehicle Parking Standards.

The existing parking arrangements would remain unchanged and can accommodate two of vehicles safely. Therefore the proposal is compliant with the abovementioned policies.

CONCLUSION

The proposed extension is considered to be acceptable in terms of design and impact upon designated heritage assets. The proposal would also not have a detrimental impact upon neighbouring residential amenity. Accordingly, it is recommended that planning permission is granted for the proposed extension.

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: 12446 01
Proposed Ground Floor Plan	Plan Ref: 12446 04 rev.D
Proposed Elevations	Plan Ref: 12446 05 rev.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.

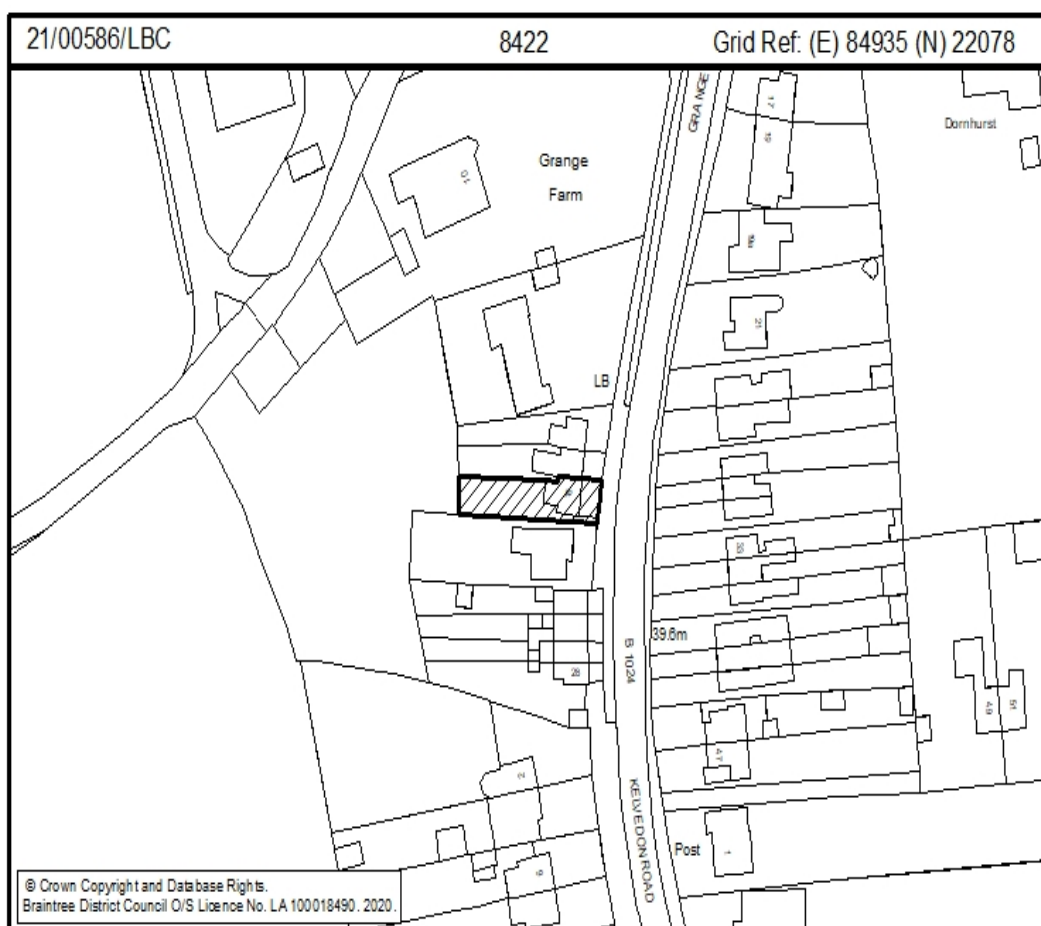
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART B

AGENDA ITEM NUMBER 5e

APPLICATION NO: 21/00586/LBC
DATE VALID: 19.02.21
APPLICANT: Councillor Tom Walsh
18 Grange Hill, Coggeshall, Essex, CO6 1RE
AGENT: Mr Tom Hogg
Edward Parsley Associates Ltd, West End Barn, The Street,
Rayne, Braintree, CM77 6RY, United Kingdom
DESCRIPTION: Single-storey rear extension and internal alterations
LOCATION: 18 Grange Hill, Coggeshall, Essex, CO6 1RE

For more information about this Application please contact:
Ellen Cooney on:- 01376 551414 Ext. 2501
or by e-mail to: ellen.cooney@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QORNMBBFJLO00>

SITE HISTORY

88/00027/DC	DC Appeal	Appeal Allowed
21/00585/HH	Single-storey rear extension and internal alterations	Pending Decision

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy) which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

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

Braintree District Shared Strategic Section 1 Local Plan (2021)

Braintree District Draft Section 2 Local Plan (2017)

LPP60 Heritage Assets and their Settings

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part A of the Council's new Scheme of Delegation as the applicant is a Member of Braintree District Council.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site is located within the Coggeshall development boundary and within the Coggeshall Conservation Area. The dwelling is an end of terrace property which is Grade II listed as part of a group listing with No.14 and No.16 Grange Hill. The property forms part of a ribbon development along Grange Hill, which connects Coggeshall with Kelvedon.

PROPOSAL

The application seeks Listed Building Consent in connection with the erection of a single storey rear extension. A linked application for planning permission has also been submitted (Application Reference 21/00585/HH).

SUMMARY OF CONSULTATION RESPONSES

Historic Buildings Consultant

No objection following revisions simplifying the form and detailing of the extension. Conditions should be added to the decision with regards to materials and detailing of windows and doors.

PARISH / TOWN COUNCIL

Coggeshall Parish Council

No objection to the application.

REPRESENTATIONS

No neighbour representations have been received.

REPORT

The National Planning Policy Framework (NPPF) states in Paragraph 189 that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

When considering the impact of development on a historical asset the National Planning Policy Framework (NPPF) specifically states in Paragraph 201 that “where proposed development will lead to substantial harm to (or total loss of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss”.

Policy RLP100 of the Adopted Local Plan and Policy LPP60 of the Section 2 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.

The proposal is for works in connection with the erection of a single storey rear extension. The dwelling itself is a timber framed end of terrace property which originated in the 17th Century and altered in the 19th Century. Following revisions the Historic Buildings Consultant has raised no objection to the proposed works. The revisions were required to ensure that the extension remains more in keeping with the character of the listed building. The roof form and fenestration arrangement were simplified and as such the Historic Buildings Consultant has advised that the revised plans would not harm the character of the building and would not result in a compromise of any important architectural elements of the building.

CONCLUSION

It is therefore considered that the proposed works are of a quality that not result in harm to the character or significance of the listed building and would therefore comply with Policy RLP100 of the Adopted Local Plan and Policy LLP60 of the Section 2 Draft Local Plan and Paragraph 200 of the NPPF.

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: 12446 01
Proposed Floor Plan	Plan Ref: 12446 04 rev.D
Proposed Elevations	Plan Ref: 12446 05 rev.C

- 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 Works shall not be commenced until samples of the materials to be used in the external finishes have been submitted to and approved in writing by the local planning authority. The works shall only be implemented in accordance with the approved details.

Reason

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

- 4 Works shall not be commenced until 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 only be implemented in accordance with the approved details and shall be permanently retained as such.

Reason

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

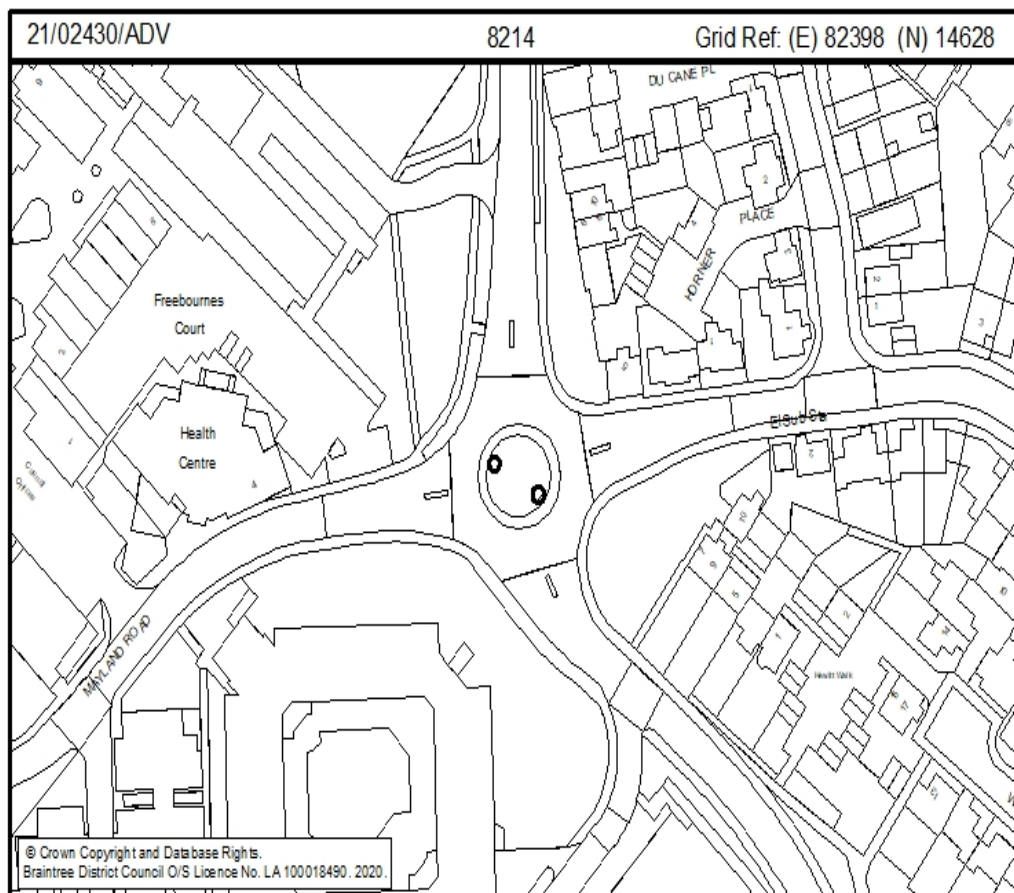
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART B

AGENDA ITEM NUMBER 5f

APPLICATION NO: 21/02430/ADV
DATE VALID: 22.09.21
APPLICANT: Braintree District Council
Mr Jeremy Taylor, Causeway House, Braintree, Essex,
CM7 9HB
DESCRIPTION: 2 No. non-illuminated roundabout sponsorship signs.
LOCATION: Roundabout North Of Mayland House, The Grove, Witham,
Essex

For more information about this Application please contact:
Fiona Hunter on:- 01376 551414 Ext. 2521
or by e-mail to: fiona.hunter@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QX7VZSBF00A00>

SITE HISTORY

08/01304/ADV	Display of 4 no. non-illuminated sponsorship signage	Withdrawn	31.07.08
08/01860/ADV	Display of 2 no. non-illuminated advertising signs	Granted	05.11.08
19/02214/ADV	3 No. non-illuminated roundabout sponsorship signs.	Granted	15.05.20

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy") which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

National Planning Guidance

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

Braintree District Local Plan Review 2005

RLP90 Layout and Design of Development
RLP107 Outdoor Advertisements

Braintree District Local Development Framework Core Strategy 2011

Braintree District Shared Strategic Section 1 Local Plan (2021)

Braintree District Draft Section 2 Local Plan (2017)

LPP55 Layout and Design of Development

Neighbourhood Plan

N/A.

Other Material Considerations

None.

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part A of the Council's new Scheme of Delegation as the Applicant is Braintree District Council.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site consists of a roundabout at a junction of The Grove, Barwell Way and Mayland Road in Witham.

PROPOSAL

The application seeks advertisement consent for the installation of two non-illuminated advertisements. The adverts would measure 1.0m in width, 0.5m in height, and the base of the sign would be 0.5m above the ground. Overall, the adverts would be 1.0m in height.

One advert would be located at the south east of the roundabout, with the other at the north west of the roundabout.

SUMMARY OF CONSULTATION RESPONSES

ECC Highways

No comments as not contrary to policy.

PARISH / TOWN COUNCIL

Witham Town Council

No objection.

REPRESENTATIONS

None.

REPORT

Advertisement Regulations 2007

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 stipulates how an application for advertisement consent can be determined. The only considerations relevant include visual amenity (how the signage would look in its context), and highway safety impacts (whether the signage has the potential to distract drivers and therefore impede on the safety of road users).

Highway Safety Impacts

The proposed signage would not be illuminated. The signs would be visible for users of the highway, however they are not of a size such that they would be overly prominent or distracting for highway users. Essex County Council Highways raise no objections to the application on grounds of impacts on highway safety.

Officers are satisfied that the proposed advertisements would not impede on the safety of the highway or its users.

Visual Amenity

Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Section 2 Plan sets out to ensure that development which affects the public realm shall be of a high standard of design and materials. Policy RLP107 of the Adopted Local Plan states that particular importance shall be paid to the design and siting of outdoor advertisements in sensitive locations, such as urban fringes, countryside and residential areas.

The proposed signage would not be prominent, and would be acceptable in terms of design providing a consistent approach to signage on the roundabout, replacing the existing varying types of advertisements.

The proposed signage is considered acceptable having regard to visual amenity and accords with the abovementioned policies.

CONCLUSION

The proposed signs would not be illuminated, and would be sited in appropriate locations on the roundabout to an acceptable design. The proposed signs are acceptable with regards to visual amenity. In addition the signs would not give rise to any highway safety impacts.

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
Signage Details

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

Reason

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

- 2 The consent 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 There shall be no illumination of the signs whatsoever.

Reason

In order to avoid prejudice to highway safety for motorists, and to protect the visual amenity of the locality.

INFORMATION TO APPLICANT

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

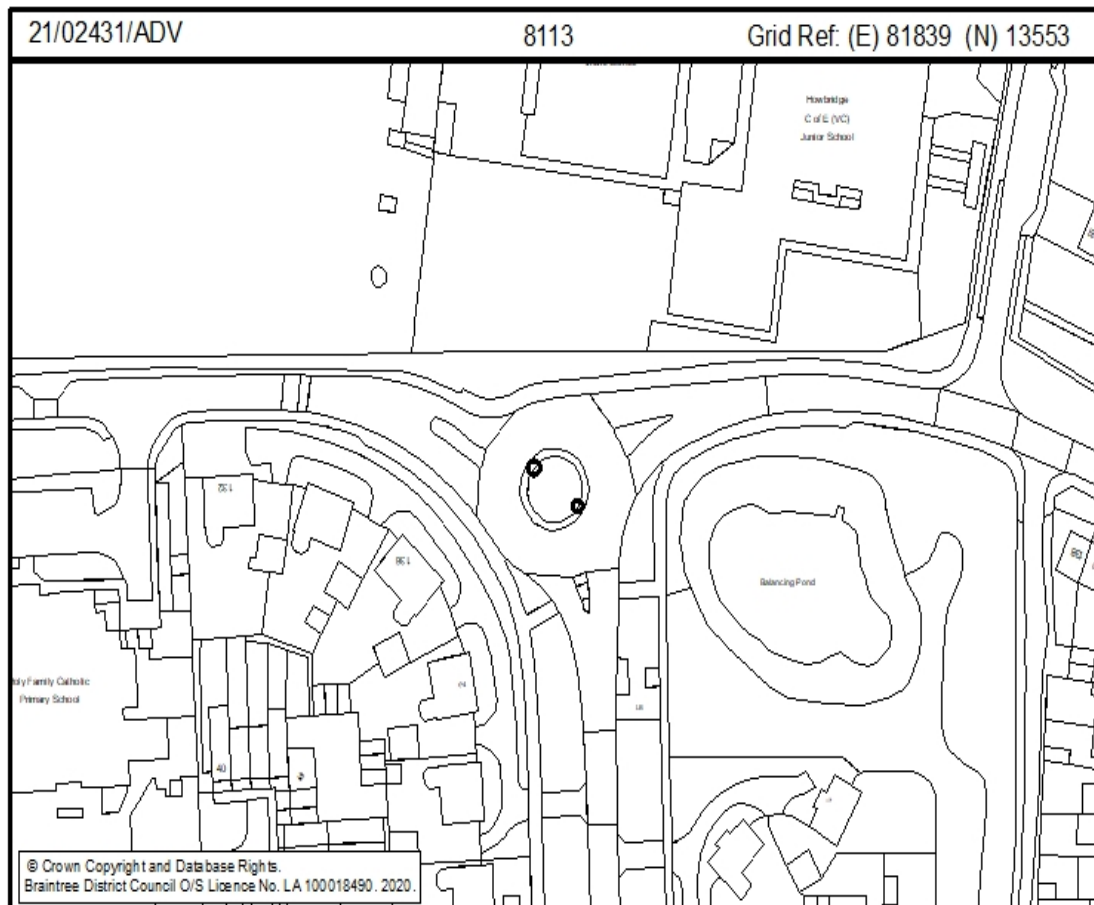
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART B

AGENDA ITEM NUMBER 5g

APPLICATION NO: 21/02431/ADV
DATE VALID: 22.09.21
APPLICANT: Braintree District Council
Mr Jeremy Taylor, Causeway House, Braintree, Essex,
CM7 9HB
DESCRIPTION: 2 No. non-illuminated roundabout sponsorship signs.
LOCATION: Roundabout At Gershwin Boulevard, Maltings Lane,
Witham, Essex

For more information about this Application please contact:
Fiona Hunter on:- 01376 551414 Ext. 2521
or by e-mail to: fiona.hunter@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QX7W3VBF00A00>

SITE HISTORY

08/01303/ADV	Display of 3 no. non-illuminated sponsorship signage	Withdrawn	31.07.08
08/01868/ADV	Display of 2 no. non-illuminated advertising signs	Granted	05.11.08
19/02182/ADV	2 No. non-illuminated roundabout sponsorship signs.	Granted	15.05.20

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy") which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

National Planning Guidance

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

Braintree District Local Plan Review 2005

RLP90 Layout and Design of Development
RLP107 Outdoor Advertisements

Braintree District Local Development Framework Core Strategy 2011

Braintree District Shared Strategic Section 1 Local Plan (2021)

Braintree District Draft Section 2 Local Plan (2017)

LPP55 Layout and Design of Development

Neighbourhood Plan

N/A.

Other Material Considerations

None.

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with Part A of the Council's new Scheme of Delegation as the Applicant is Braintree District Council.

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site consists of a roundabout at a junction of Maltings Lane in Witham.

PROPOSAL

The application seeks advertisement consent for the installation of two non-illuminated advertisements. The adverts would measure 1.0m in width, 0.5m in height, and the base of the sign would be 0.5m above the ground. Overall, the adverts would be 1.0m in height.

One advert would be located at the south east of the roundabout, with the other at the north west of the roundabout.

SUMMARY OF CONSULTATION RESPONSES

ECC Highways

No comments as not contrary to policy.

PARISH / TOWN COUNCIL

Witham Town Council

No objection.

REPRESENTATIONS

None.

REPORT

Advertisement Regulations 2007

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 stipulates how an application for advertisement consent can be determined. The only considerations relevant include visual amenity (how the signage would look in its context), and highway safety impacts (whether the signage has the potential to distract drivers and therefore impede on the safety of road users).

Highway Safety Impacts

The proposed signage would not be illuminated. The signs would be visible for users of the highway, however they are not of a size such that they would be overly prominent or distracting for highway users. Essex County Council Highways raise no objections to the application on grounds of impacts on highway safety.

Officers are satisfied that the proposed advertisements would not impede on the safety of the highway or its users.

Visual Amenity

Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Section 2 Plan sets out to ensure that development which affects the public realm shall be of a high standard of design and materials. Policy RLP107 of the Adopted Local Plan states that particular importance shall be paid to the design and siting of outdoor advertisements in sensitive locations, such as urban fringes, countryside and residential areas.

The proposed signage would not be prominent, and would be acceptable in terms of design providing a consistent approach to signage on the roundabout, replacing the existing varying types of advertisements.

The proposed signage is considered acceptable having regard to visual amenity and accords with the abovementioned policies.

CONCLUSION

The proposed signs would not be illuminated, and would be sited in appropriate locations on the roundabout to an acceptable design. The proposed signs are acceptable with regards to visual amenity. In addition the signs would not give rise to any highway safety impacts.

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
Signage Details

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

Reason

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

- 2 The consent 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 There shall be no illumination of the signs whatsoever.

Reason

In order to avoid prejudice to highway safety for motorists, and to protect the visual amenity of the locality.

INFORMATION TO APPLICANT

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

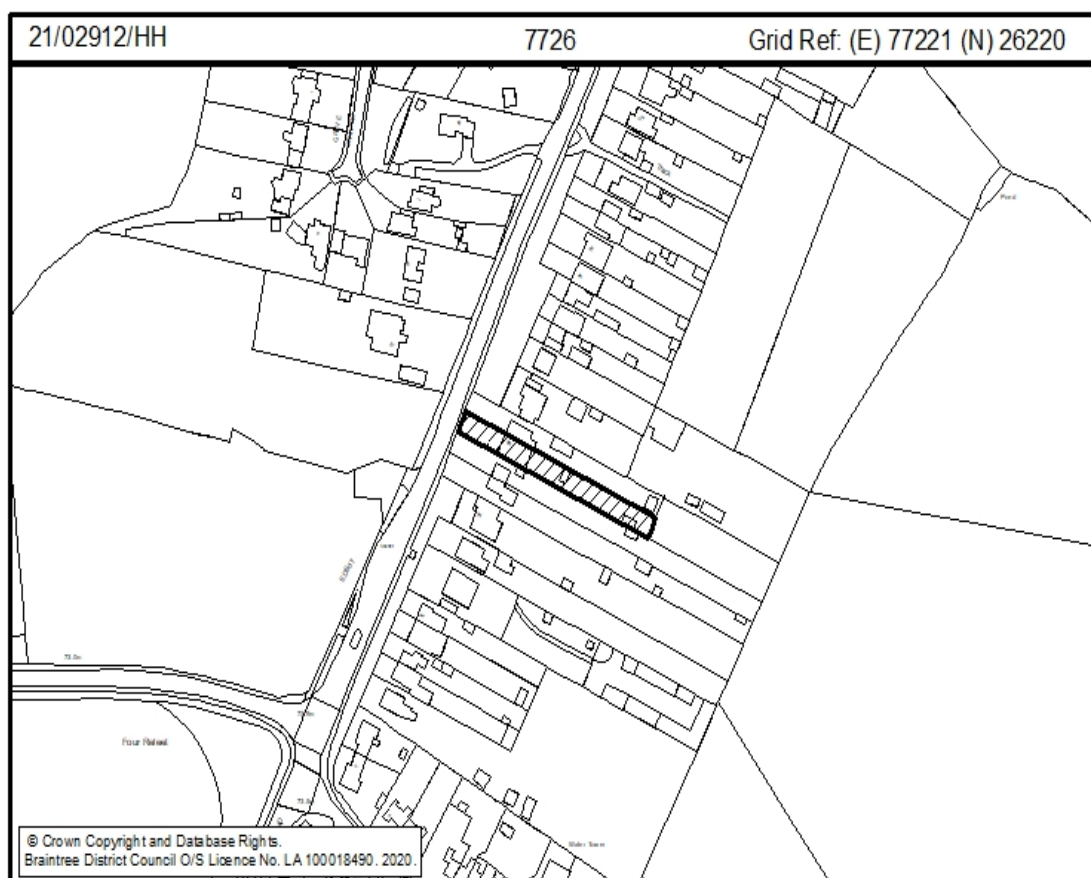
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART B

AGENDA ITEM NUMBER 5h

APPLICATION NO: 21/02912/HH
DATE: 28.09.21
VALID:
APPLICANT: Mr & Mrs Howard & Ranson
26 High Garrett, Braintree, CM7 5NP,
AGENT: Mr Damian Lockley
Oswick Ltd., 5/7 Head Street, Halstead, CO9 2AT, United Kingdom
DESCRIPTION: Erection of first-floor rear extension over existing, and single-storey rear extension.
LOCATION: 26 High Garrett, Braintree, Essex, CM7 5NP

For more information about this Application please contact:
Jack Street on:- 01376 551414 Ext. 2515
or by e-mail to: jack.street@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QZVT66BFG7R00>

SITE HISTORY

82/00912/	Proposed conservatory and car port	Granted	04.10.82
85/00410/	Erection Of Two Storey Side Extension And Single Storey Rear Extension. App. 10.5.85		
92/00867/FUL	Erection of first floor extension and alterations	Granted	27.08.92

POLICY CONSIDERATIONS

On the 22nd February 2021, Braintree District Council adopted the Shared Strategic Section 1 Local Plan.

On adoption, the policies in the Shared Strategic Section 1 Local Plan superseded Policies CS1, CS4, CS9 and CS11 of the Core Strategy (2011).

The Council's Development Plan therefore consists of the Braintree District Local Plan Review (2005) ("the Adopted Local Plan"), the policies of the Core Strategy (2011) (the Core Strategy") which are not superseded, the Shared Strategic Section 1 Local Plan (2021) ("the Section 1 Plan"), and any Adopted Neighbourhood Plan.

The local authority is now moving forward with the examination of Section 2 of the Draft Local Plan. In accordance with Paragraph 48 of the NPPF, from the day of publication the Council can give weight to the policies of this emerging Draft Section 2 Local Plan ("the Section 2 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 affords some weight to the Section 2 Plan.

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

Braintree District Shared Strategic Section 1 Local Plan (2021)

SP1	Presumption in Favour of Sustainable Development
SP7	Place Shaping Principles

Braintree District Draft Section 2 Local Plan (2017)

LPP1	Development Boundaries
LPP38	Residential Alterations, Extensions and Outbuildings
LPP45	Parking Provision
LPP55	Layout and Design of Development

Neighbourhood Plan

N/A.

Other Material Considerations

Site Allocations and Development Management Plan
Essex Parking Standards

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

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

DESCRIPTION OF THE SITE AND SITE CONTEXT

The application site is located within High Garrett. The host dwelling subject to this application is 26 High Garrett, a semi-detached residential dwellinghouse

set within a ribbon of development centred along the roadway of which the settlement derives its name from.

26 High Garrett is sited on the eastern side of the road, and is set back from the main dwelling which provides a large front garden and a driveway. The dwelling is formed of a core two-storey structure with a single-storey extension to the rear at ground floor level, to which an opaque plastic canopy is attached. The dwelling currently features no external side access to the garden given that the structure fills the width of the plot. A distance between the structure and its adjacent neighbour to the south is established by a side alley on the neighbouring side of the boundary. The property benefits from a substantial rear garden.

No restrictions that would have a material impact to the determination of the application have been identified. The structure is not listed, nor does it form part of a Conservation Area.

PROPOSAL

The proposal seeks permission for the erection of first-floor rear extension and a single-storey rear extension. The first-floor rear extension would be built atop of an existing extension to the core dwelling at ground floor level. This extension would measure approximately 3m from the rear wall of the dwelling at first floor level, and would span the width of the building in this position. It is noted that this extension has been designed as to be kept within the building line established by a neighbouring two-storey projection from the adjoining dwelling.

The single-storey extension that forms the secondary component of this application would extend by a depth of approximately 3.30m from the wall to which it is attached. This would entail the replacement of an existing canopy installation on-site, with the extension closely matching its overall depth. The extension would measure approximately 3.85m in total height where it meets the dwelling and 2.50m at its eaves. A lean-to roof connects the eaves with the total height as outlined above.

The proposed works would constitute an overall enlargement to the internal living facilities offered by the dwelling. Of note in respects to the works to the ground floor is the intension for the extension not to span the width of the dwelling and to instead leave a 1m gap from the southern perimeter of the site. This would provide access to an intended covered alleyway across the southern flank of the property which would be contained within the footprint of the building. The garage doors to the front elevation would be replaced by a doorway into the alley from the front of the property.

SUMMARY OF CONSULTATION RESPONSES

Given that no restrictions have been identified at the site, no consultations with internal or statutory bodies has been required for this application.

PARISH / TOWN COUNCIL

N/A.

REPRESENTATIONS

A site notice was displayed at the entrance to the application site for a 21 day period and immediate neighbours were notified in writing. No representations have been received.

REPORT

PRINCIPLE OF DEVELOPMENT

The proposal is for the erection of an extension associated with 26 High Garrett, an existing dwellinghouse sited within the High Garrett village envelope as shown on the Braintree Town Development Boundary inset map in the Adopted Local Plan.

The application is supported in principle in accordance with Policies RLP3 of the Adopted Local Plan and Policies LPP1 and LPP38 of the Section 2 Plan.

Policy RLP17 of the Adopted Local Plan and Policy LPP38 of the Section 2 Plan outline the criteria for alterations to existing residential dwellings sited within established development boundaries. Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Section 2 Plan similarly seek to secure a high standard of design and materials from all applications. The criteria for these policies is set out in the section below.

The application is thus acceptable in principle, subject to the above conditions and all other relevant material considerations.

SITE ASSESSMENT

Layout, design and appearance

Paragraph 126 of the NPPF (2021) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 134 makes reference to the requirement for good design, and how a failure to achieve good design can warrant refusal of a planning application, specifically where poor design fails to take the opportunities available for improving the character and quality of an area.

Policy SP7 of the Section 1 Plan states that new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs.

The host dwelling is set within a development boundary wherein the principle of extending a property is accepted in principle. In these areas, Policy RLP17 of the Adopted Local Plan and Policy LPP38 of the Section 2 Plan outline *inter*

alia that the siting, bulk, form and materials of any extension should be compatible with the original dwelling and that extensions of a property should be subordinate to the original dwelling in terms of bulk, height and position.

In addition to this, Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Section 2 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 first-floor extension is noted to extend to a depth which reflects the extent of a neighbouring two-storey extension to the adjoining property at No.28 High Garrett. The building line established by the neighbouring dwelling would not be compromised by the erection of the extension in this position, wherein a degree of compatibility would be established. This is further enforced by the complimentary roof form, which would be hipped as observable to the neighbouring dwelling and kept at a similar height. Although the pitch would differ from the neighbouring dwelling extension owing to the width of the proposed extension, the result would not be to the detriment of visual amenity. This height is below the apex of the main dwelling, wherein the structure would remain deferential in this respects.

With regards to materials and fenestration, the structure would be rendered to match the existing dwelling with two windows in the rear wall to match the appearance of those existing elsewhere on the dwelling. This is considered an acceptable premise.

The first floor extension can be considered compatible with the main dwelling as per its siting, bulk, form and materials, and Officers note that the level of subordination shown to the core building is acceptable by virtue of the proposed bulk, height and position of the structure. This accords with the expectations established by local design policies.

The proposed single-storey extension would measure approximately 3.30m from the rear wall of the dwelling and 6.64m in width. The structure would not span the width of the rear wall, with a 1m section retained on the southern flank of the building within which an opening would provide access via a covered alleyway through the building in this position. The extension would include a set of bifold doors opening onto an area of patio immediately to the rear of the dwelling, and three roof lights within the lean-to roof.

Officers noted the ongoing construction of a neighbouring extension to the adjacent neighbour at No.24 High Garrett, which is built to a similar depth to a conservatory structure to the other neighbour to the property, No.28. The proposed extension would also be to this depth, establishing a consistent ground floor building line between the properties.

The visual impression of the extension is fairly conventional, and would not constitute a conspicuous addition to the main dwelling. The continuation of the render across this structure would ensure a degree of compatibility with the dwelling, as required by local design policies. By virtue of its siting, bulk, form and materials, the ground floor structure is compatible with the main dwelling, whilst the bulk, height and position would be subordinate. Read together with the first floor extension, no cumulative harm would give rise to any conflict with the relevant policies.

On the principal elevation, the proposed garage door would be replaced with a conventional doorway to provide access across the side flank, which would be unlikely to give rise to any detrimental harm to the identity of the street scene. In addition, a proposed side window facing onto the alleyway does not introduce any adverse effects in terms of design and appearance.

Impact on Neighbouring Residential Amenities

One of the core principles set out in the NPPF is that planning should 'always seek to secure a high quality of design and a good standard of amenity for all existing and future occupants'. This is supported by Policy RLP90 of the Adopted Local Plan, which states that 'there shall be no undue or unacceptable impact upon the amenity of any nearby residential properties'. The Section 2 Plan has similar objectives.

Unacceptable neighbouring impacts are considered those which may give rise to adverse effects in terms of overlooking, overshadowing, loss of light or loss of privacy. Officers will also give consideration to a loss of outlook should a proposal introduce an overbearing sense of enclosure on adjoining plots.

In terms of any overlooking impacts, Officers note the intention to insert two rear windows into the proposed first floor extension. However, it is acknowledged that there are three windows in place at present, which provide a similar degree of outlook to that which would be provided by the proposed extension. The reduction of the windows from three to two is noted, and although a greater vantage may be attainable from the deeper first floor extension, it is not considered the outlook would be to the detriment of neighbouring plots. The level of outlook would likely be similar to that of the neighbouring properties, where similar arrangements to that proposed can be observed.

Officers note a proposed side window on the southern elevation, but acknowledge that this is intended to serve an en-suite. It is unlikely that this window would give rise to any unacceptable levels of overlooking.

It is noted by Officers that the ground floor extension projects by 3.30m across the boundary shared with the attached neighbour to the north (No. 28 High Garrett). To the rear of the neighbouring property is a conservatory, which includes an opaque roof and glazing on all sides. This includes a glazed elevation of the conservatory facing onto the boundary, although this faces directly onto the fence which obscures any views or light. Although the

structure would be built in this location, it is unlikely to unacceptably impact the conservatory given the presence of this fence and given the relatively modest eaves height and lean-to roof. No objections on the grounds of overshadowing or overbearing are therefore identified.

With respects to No.24 High Garrett (the neighbour south of the dwelling) there is considered a degree of separation between the dwellings which is established by a small alleyway. The neighbouring structure appears to have extended to the boundary by way of a two storey side extension, the insertion of a dormer in the rear roof slope and a single storey ground floor extension. The application subject to this assessment proposes a similar depth at each of these levels, and would unlikely give rise to any issues of overshadowing or overbearing by virtue of the siting and size of the extension. In addition, no unacceptable levels of outlook would arise.

As such, the application accords with the relevant policies in this respect.

Highway Considerations

Policy RLP56 of the Adopted Local Plan and Policy LPP45 of the Section 2 Plan commits the LPA to the guidance outlined in the ECC Parking Standards (2009). The Parking Standards state that “prior to any extension or change of use, the developer must demonstrate that adequate parking will be provided”. This includes a requirement for properties of two or more bedrooms to provide two off-street parking spaces.

Although the application would entail the loss of a garage, two vehicles could be accommodated within the front driveway of the property. As such, the requirements of the ECC Parking Standards is fulfilled, wherein the criteria contained within Policy RLP56 of the Adopted Local Plan and Policy LPP45 of the Section 2 Plan is complied with.

CONCLUSION

The scheme would represent a collection of clear, compatible additions to the main dwelling which corresponds well with its character and the pattern of surrounding development. The extensions proposed would be subordinate to the main dwelling, and would not introduce any unacceptable neighbouring impacts.

No conflict has been read with local and national policy criteria material to this consideration. On balance, it is therefore considered the proposed extensions are compliant with policy and 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

Existing Plans	Plan Ref: 21-137-AS-1
Proposed Plans	Plan Ref: 21-137-AS-2

- 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

To ensure that the development is in character with the surrounding area and does not prejudice the appearance of the locality.

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

Reason

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

CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER