

PLANNING COMMITTEE AGENDA

Tuesday, 29 September 2020 at 7.15pm

In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held via Zoom and by the Council's YouTube channel – Braintree District Council Committees.

Members of the public will be able to view and listen to this meeting via YouTube.

To access the meeting please use the link below:

<http://www.braintree.gov.uk/youtube>

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 K Bowers	Councillor F Ricci
Councillor T Cunningham	Councillor Mrs W Scattergood (Chairman)
Councillor P Horner	Councillor Mrs G Spray
Councillor H Johnson	Councillor N Unsworth
Councillor D Mann	Councillor J Wrench
Councillor A Munday	

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.

A WRIGHT
Chief Executive

INFORMATION FOR MEMBER – DECLARATIONS OF MEMBERS' INTERESTS

Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI) or Non-Pecuniary Interests (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:

In response to the Coronavirus the Council has implemented procedures for public question time for its virtual meetings which are hosted via Zoom.

The Agenda allows for a period of up to 30 minutes for public question time.

Participation will be via the submission of a written question or statement which will be read out by an Officer or the Registered Speaker during the meeting. All written questions or statements should be concise and should be able to be read **within 3 minutes** allotted for each question/statement.

Members of the public wishing to participate are requested to register by contacting the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by midday on the working day before the day of the Committee meeting. For example, if the Committee meeting is due to be held on a Tuesday, the registration deadline is midday on Monday, (where there is a bank holiday Monday you will need to register by midday on the previous Friday).

The Council reserves the right to decline any requests to register for public question time if they are received after the registration deadline.

Upon registration members of the public may indicate whether they wish to read their question/statement or to request an Officer to read their question/statement on their behalf during the virtual meeting. Members of the public who wish to read their question/statement will be provided with a link to attend the meeting to participate at the appropriate part of the Agenda.

All registered speakers are required to submit their written questions/statements to the Council by no later than 9am on the day of the meeting by emailing them to governance@braintree.gov.uk. In the event that a registered speaker is unable to connect to the virtual meeting their question/statement will be read by an Officer.

Questions/statements received by the Council will be published on the Council's website. The Council reserves the right to remove any defamatory comment in the submitted questions/statements.

For the Planning Committee only, the order in which questions and statements will be read is members of the public, Parish Councils/County Councillors/District Councillors, Applicant/Agent.

The Chairman of the Planning Committee has discretion to extend the time allocated for public question time and to amend the order in which questions/statements are presented to the Committee.

Documents: Agendas, Reports, Minutes and public question time questions and statement can be accessed via www.braintree.gov.uk

Data Processing: During the meeting the Council will be collecting performance data of participants' connectivity to the meeting. This will be used for reviewing the functionality of Ms Teams/Zoom and YouTube as the Council's platform for virtual meetings and for monitoring compliance with the legal framework for Council meetings. Anonymised performance data may be shared with third parties.

For further information on how the Council processes data, please see the Council's Privacy Policy. https://www.braintree.gov.uk/info/200136/access_to_information/376/privacy_policy

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 Previous Meetings

To approve as a correct record the Minutes of the meetings of the Planning Committee held on 18th August 2020, 1st September 2020 and 15th September 2020 (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 application listed under Part B should be determined “en bloc” without debate.

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

PART A**Planning Applications**

5a	Application No. 19 02258 REM - 4 Helions Road, STEEPLE BUMPSTEAD	6 - 19
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5b	Application No. 20 00352 REM - Land rear of Tey Road, EARLS COLNE	20 - 38
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PART B**Minor Planning Application**

5c	Application No. 20 01096 HH - 31 Constantine Road, WITHAM	39 - 46
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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.

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.

PRIVATE SESSION**Page****7 Urgent Business - Private Session**

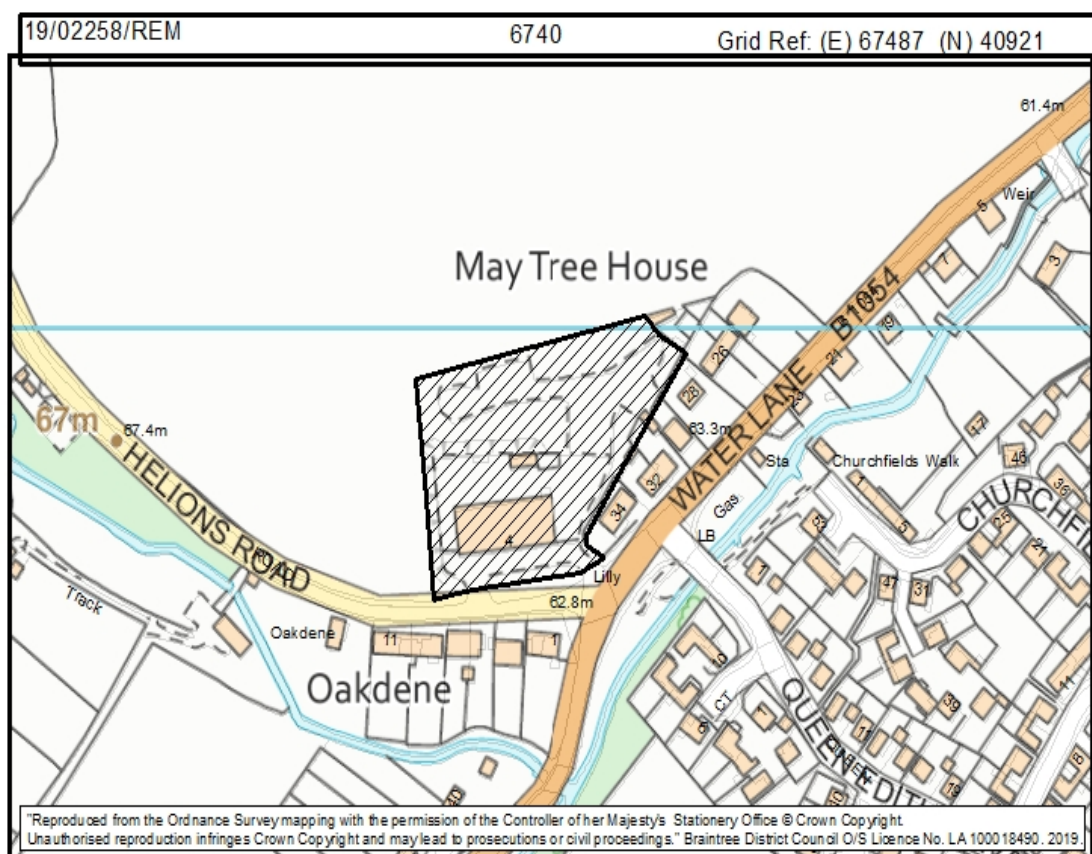
To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

PART A

AGENDA ITEM NUMBER 5a

APPLICATION NO: 19/02258/REM
 DATE: 13.12.19
 VALID:
 APPLICANT: C/o agent
 C/o agent
 AGENT: Mr Matthew Wood
 270 Avenue West, Skyline 120, Great Notley, Braintree, CM77 7AA
 DESCRIPTION: Application for approval of reserved matters following outline approval 16/01525/OUT - Application for approval of Reserved Matters for 'Access', 'Appearance', 'Landscaping', 'Layout' and 'Scale' - redevelopment of an agricultural machinery depot to residential development of 9no. three bedroom dwellings with associated works
 LOCATION: 4 Helions Road, Steeple Bumpstead, Essex, CB9 7DU

For more information about this Application please contact:
 Melanie Corbishley on:- 01376 551414 Ext. 2527
 or by e-mail to: melanie.corbishley@braintree.gov.uk



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q2GKO6BFJVL00>

SITE HISTORY

16/01525/OUT	Application for outline planning permission with all matters reserved - redevelopment of an agricultural machinery depot to residential development of 9no. three bedroom dwellings with associated works	Granted	12.01.17
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POLICY CONSIDERATIONS

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

The Council is currently working on a Draft Local Plan. Following consultation in the summer of 2016 this Publication Draft Local Plan was submitted to the Secretary of State on 9th October 2017.

The Publication Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government.

The examination into the Section 1 Local Plan continued in January 2020. Hearing sessions have now been completed, and the North Essex Authorities have now received an initial letter from the Inspector outlining his findings on the Section 1 Local Plan.

In his interim judgement the Inspector has considered that the Section 1 Local Plan cannot be found sound unless the Garden Communities at Colchester Braintree Borders and West of Braintree are removed from the Local Plan. The Inspector does agree with the housing target for Braintree, which equals a minimum of 716 dwellings per year.

In accordance with paragraph 48 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

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

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

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

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

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
RLP7	Housing and Mixed Use Sites
RLP8	House Types
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP53	Generators of Travel Demand
RLP56	Vehicle Parking
RLP64	Contaminated Land
RLP90	Layout and Design of Development

Braintree District Local Development Framework Core Strategy 2011

CS5	The Countryside
CS7	Promoting Accessibility for All
CS9	Built and Historic Environment

Braintree District Publication Draft Local Plan 2017

LPP1	Development Boundaries
LPP37	Housing Type and Density
LPP44	Sustainable Transport
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development
LPP73	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

Neighbourhood Plan

None

Supplementary Planning Guidance

Site Allocations and Development Management Plan
Essex Design Guide
External Lighting Supplementary Planning Document
Essex 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 the Council's scheme of delegation as Steeple Bumpstead Parish Council supports the proposal contrary to Officer recommendation.

Members should be aware however, that the applicant has submitted an appeal on this application on the grounds of non-determination. This application is therefore being reported to the Planning Committee to enable the Council to advise how the application would have been determined.

SITE DESCRIPTION

The application site is the Mark Weatherhead agricultural depot, located to the northern side of Helions Road within Steeple Bumpstead. The existing building and some of the land to the rear is contained within the Village Envelope. The remaining part of the site outlined in red is located within the countryside for planning purposes.

The Environment Agency has confirmed that the site lies within Flood Zone 1. The site is not identified for a specific use within the Adopted Local Plan.

The site currently comprises a detached building and a large hardstanding to the rear used for storage. The site has two vehicular accesses off Helions Road. The site is at an elevated position relative to the level of the highway.

To the rear of the site (land shown behind Plots 7 and 8 of the proposed layout) the land level increases abruptly.

The site is adjacent to residential properties on Water Lane and opposite residential properties on Helions Road.

PROPOSAL

Outline planning permission was granted in January 2017 for 9no. three bedroom dwellings, with all matters reserved (Application Reference 16/01525/OUT). This Reserved Matters application considers the detailed matters reserved for consideration, namely; Access, Layout, Appearance, Scale, and Landscaping.

The proposed access to the site would be located to the south of the site and would be opposite No.3 and No.5 Helions Road. An existing secondary access close to No.34 Water Lane would be closed up. The proposed block plan indicates that an existing pedestrian footway would be extended from the front of No.34 Water Lane to the east, along the front of the application site. The main access road, shown to be a shared surface, heads north and then turns to the east to serve Plots 7, 8 and 9. A private drive is shown to the frontage of the site to serve Plots 1, 2 and 3.

The proposed layout of the site shows that four properties would lie along the frontage of the site. As the access road enters the site, two further detached dwellings are shown to the west. Where the road turns to the east, two detached houses are shown to the north fronting onto two visitor spaces and the rear private gardens serving Plots 1, 2 and 3. At the end of the main access there is a further detached dwelling, Plot 9.

All of the proposed dwellings have a similar appearance and the same materials and architectural styles are replicated across the site. All properties have a traditional appearance as they have brick lintels, gables and simple canopy porches.

In terms of scale, all of the dwellings are two storey. A landscaping plan has been submitted as part of the proposals and indicates new planting across the site.

CONSULTATIONS

ECC Highways

No objection.

BDC Land Drainage

No comments received.

Dedham Vale and Stour Valley Project

The AONB team considers that the layout of the above schemes needs further consideration. The layout of the proposed dwellings while reflecting the dominant street scene along Helions Road/Water Lane (residential properties fronting the highway), do not relate well to the large area of proposed open space shown in drawing 19/084-04. The proposed open space is proposed mainly to the north of the site. Most of the new dwellings turn away from the open space towards the highway.

Overall we support the amended detailed landscape proposals for this site as set out in drawing 19/084-04 Revision 2. The revised amendments as shown in the drawing, addresses all the concerns that we raised in our previous response dated 10.01.2020.

BDC Environmental Health

No comments received.

BDC Landscape Services

No objection.

Environment Agency

No objection.

UK Power Networks

Advise that the proposed redevelopment of the site will necessitate the removal of the high voltage electricity overhead line and the existing transformer named 'WEST' that supplies 52 properties in the surrounding area.

Should permission for the development be granted, then contact must be made with UK Power Networks at the earliest convenience.

BDC Waste Services

The plans pose no issues for BDC to carry out waste collections.

Parish Council

The Parish Council have reviewed the latest plan 200.24 24/06/2020 and found it to be similar to the original outline plan we had originally approved. We therefore have no objections to the latest plans. We have seen sight of alternative plans that show an additional plot being suggested that would have been outside the original village envelope which we would have opposed.

The Parish Council would ask that these reserved matters be approved.

REPRESENTATIONS

14 representations received from 5 addresses making the following comments:

- Asbestos roofing must be removed in accordance with current regulations
- Concern that visibility splays are not sufficient for the site and a number of residents have near misses when leaving their properties
- The 30mph limit should be extended further along Helions Road.
- Extra surface water from the site could put pressure on the existing drain system

- Concern that the site is located in Flood Zone 3 and that a full FRA should be submitted
- The road regularly floods despite the river defences
- Concern that works to high voltage power line could have significant consequences for existing residents
- Concern about the siting of the proposed waste bins that could cause a nuisance for existing residents and attract vermin.
- Plot 4 is located forward of the existing building line and 5m closer to the road than the existing building. This will have a high visual impact and contribute to the loss of character of the village, particularly when viewed from the Helions end of the road. It should be moved back into the existing building footprint.
- Loss of light and privacy to neighbouring properties in Helions Road
- Increased traffic and noise

REPORT

Principle of Development

The principle of developing this site for residential has been established through the grant of outline planning permission (Application Reference 16/01525/OUT). An indicative layout plan, that was not approved, indicated that one of the dwellings would be located outside the Village Envelope.

This proposal considers matters reserved for consideration at the outline planning application stage, namely; Access, Appearance, Scale, Layout and Landscaping. These particulars are explored below.

Layout, Scale, Appearance and Impact on Neighbour Amenity

Paragraph 124 of the National Planning Policy Framework (NPPF) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It also states that 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. Paragraph 127 of the NPPF states, amongst other things, that developments should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. The National Design Guide *'illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice'*. The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.

Policies RLP3 and RLP90 of the Adopted Local Plan require designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure

development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping. Policy LPP55 of the Draft Local Plan seeks to secure the highest possible standards of design and layout in all new development and the protection and enhancement of the historic environment.

The NPPF states that planning decisions should seek to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'. This is replicated in Adopted Local Plan Policy RLP90.

The Council has adopted the Essex Design Guide as a Supplementary Planning Document. This indicates that dwellings with three bedroom dwellings should be provided with 100sq.m or more. Furthermore, Policy RLP56 of the Adopted Local Plan requires that sufficient vehicle parking should be provided for all new development in accordance with the Essex County Council Vehicle Parking Standards 2009.

It is noted that the Delegated Report for the outline planning application raised concerns with the indicative layout that was proposed by the applicant. No pre-application advice was sought before the submission of this reserved matters application. However, notwithstanding this, during the life of the application, Officers have sought to act positively and proactively and encouraged the applicant on a number of occasions to amend the layout, and even provided a suggested layout to improve the outlook and amenity for a number of the plots. The applicant has chosen to disregard the advice of Officers and therefore the layout remains largely as originally submitted.

The applicant has proposed a development of 9no, two storey houses. An existing vehicular access would be enlarged to create the main access to the site and would serve all 9 dwellings. Three dwellings (one detached and a semi-detached pair) are proposed to the east of the access road and would front onto Helions Road. To the west of the access is a detached house (Plot 4) which has two active elevations, and would front onto Helions Road. Beyond plot four and to the north, are two further detached houses, Plots 5 and 6, which would be accessed from the new road. In front of Plot 6 the access road turns to the east and then continues on to serve three more detached houses, Plots 7, 8 and 9.

To the rear of the site (northern portion) is a large area of open space accessible between Plots 8 and 9. Given the existing levels differences across the site, this land sits approximately 2.3m above the proposed developable area of the application site.

Officers consider that the proposed layout is contrived and unconventional, particularly in relation to the relationships between Plots 7, 8 and 9 and Plots 1, 2 and 3. It is considered that the outlook to the front for Plots 7 and 8 is poor, as they would overlook the rear gardens and 2m high boundary walls belonging to Plots 1, 2 and 3. This poor sense of place and poor outlook is exacerbated by the parking spaces forward of the building line and the two

visitor spaces against the brick wall boundary of Plots 2 and 3. This, somewhat car dominated space to the front of these two dwellings is not considered good place making, and conflicts with the discrete parking and good design advocated by the National Design Guide.

Officers consider that Plot 3 has a poor relationship with Plot 5, as the first floor windows can directly overlook in the private rear garden belonging to Plot 3 from a very close distance. To overcome this poor relationship, Plot 3 presents a blank un-fenestrated gable end to the outlook of Plot 5 that is not considered to be either good design or good townscape. Similarly the blank gable end of Plot 5 addresses the entrance to the site, and where Plot 4 is set back from the access road, it reveals the blank gable and when combined with the blank elevation of the side of Plot 3 would result in poor townscape and unacceptable entrance to the site.

Officers consider that the private outdoor space afforded to Plots 4, 5 and 6 would be significantly compromised by the topography of the site along the western boundary and the proposed overbearing boundary treatment. The combination of the extremely sloped garden and the poor outlook from the rear windows in Plots 4, 5 and 6 would result in gardens with a function that is poor. A large tree is shown to be retained at the rear of the garden for Plot 4 which would overshadow and compromise the amenity of this garden further.

Due to the change in levels across the site, the gardens proposed for Plots 7 and 8 would be extremely enclosed but exposed at the same time. To accommodate the increased land level to the rear of these two dwellings, a 2.3m high gabion wall is proposed which would result in a poor outlook from the rear facing windows in both of these plots. Furthermore the proposed gardens are exposed to the public space to the north of the site and would result in insecure gardens that would be overlooked from the public space.

Plot 9 is a two storey detached house and the front elevation is orientated towards the blank side elevation of Plot 8, which would result in a poor outlook for this property. The side elevation of Plot 9 that contains a bay window on the ground floor and a bedroom window at the first floor is orientated towards the private garden belonging to Plot 1. Given the elevated position of Plot 9, it is considered that the proposed bedroom window would directly overlook the private garden serving Plot 1, which would be unacceptable upon the amenities of Plot 1.

As outlined above, Plot 9 is located in an elevated position and the two existing neighbouring properties in Water Lane are bungalows. These properties, particularly No.34, have small gardens that are not deep. The Essex Design Guide requires new development to be 15m from an existing residential boundary. Plot 9 should also provide 25m back to back distance but only achieves 12m from No.34 Water Lane and 15.5m from No.32 Water Lane.

First floor fenestration is proposed on the rear of the property, and combined with the bulk of a two storey property would result in a strong sense of

unneighbourly enclosure, be overbearing and result in a loss of privacy to No.32 and No.34 Water Lane.

The perception of exposed and insecure boundaries will be present across many dwellings in the layout proposed. The raised land to the back of the site is accessible to the public and therefore provides insecurity or an unnecessary perception of vulnerability to dwellings that have gardens exposed to the publically accessible realm. It would appear from the drawings that the space to the east of Plot 1 can be accessed from the street around the garden of Plot 1 and past Plot 9 to the open space beyond, which would be unacceptable.

It is less than desirable to create this large open space and then plant it with species that require maintenance as the burden of management company cost for such a large tract of land with only 9 dwellings will be excessive. To also have it accessible from various places within the scheme adds to the undesirability of the layout generally.

Policy RLP56 of the Adopted Local Plan and Policy LPP45 of the Draft Local Plan requires that sufficient vehicle parking should be provided for all new development in accordance with the Essex County Council Vehicle Parking Standards 2009.

The proposed parking lies forward of the building line on several plots and creates a visual dominance of parked vehicles, something that is unsupported by the National Design Guide. Plot 9 car parking is impractical to access and has a vulnerable and unsightly garage in the public open space with no boundary treatments or visual mitigation for the poor relationship. The reversing of cars for Plot 9 access will be an unnecessary disturbance on neighbours and unnecessarily awkward for the residents of Plot 9.

Each property is provided with the necessary amount of car parking spaces either within garages or surface spaces and the required number of additional visitor spaces are also provided, in accordance with the Essex County Council Vehicle Parking Standards 2009.

The Council has adopted the Essex Design Guide as a Supplementary Planning Document. This indicates that dwellings with three bedroom dwellings should be provided with 100sq.m or more. Plots 1, 2, 7 and 8 have gardens which vary in size from 94sq.m to 97sq.m and gardens for the other plots meet the 100sq.m minimum requirement of the Essex Design Guide.

Whilst they are below the minimum requirement of the Essex Design Guide, should this be the only issue, Officers would not consider that on this issue alone, planning permission should be withheld. However as set out above, the gardens for Plots 7 and 8 are to be compromised by the 2.3m high gabion walls, and the garden for Plots 1, 2 and 3 would be overlooked from the properties to the rear (Plots 7 and 8). Furthermore the gardens for Plots 4, 5 and 6 would be compromised by the topography of the site and the large strip of boundary planting.

Officers consider that the proposed house types and architectural style are too similar in a village of eclectic and diverse styles, shapes and heights, and therefore do not reflect the character of Steeple Bumpstead.

Plot 1 and 2 are the tallest and most individual pair of houses within the development but their location, to the side of No.32 Water Lane, is unsympathetic and insensitive to local character and overbearing in relation to the existing bungalow. Plots 1 and 2 are considered to be of poor design with a disproportionality high roof that exacerbates the poor relationship with the smaller neighbouring properties.

Officers consider that the local character that relates most directly to the site does not feature the monotony of a single brick finish, as used on every house in the development. The local character is more diverse with renders of many colours featuring strongly around the site. The opposite side of Helions Road features tall traditional windows of a vertical emphasis and an elegance of forms and shapes that is not responded to in sympathetic designs on this site. Officers conclude that the house types and styles are not in keeping with local character and the better elements that define the local context.

Given the above, Officers conclude the cumulative impacts of the contrived layout results in a poor design that does not adequately relate to the village of Steeple Bumpstead. Furthermore the proposed design and layout would result in poor relationships in terms of amenity, outlook and privacy between the new dwellings and the existing bungalows in Water Lane. The proposals conflict with Policies RLP3 and RPL90 of the Adopted Local Plan, the NPPF and the National Design Guide.

Landscaping

As required by the outline planning permission this application is accompanied by detailed plans showing the approach to hard and soft landscaping. A soft and hard landscaping scheme has been submitted for consideration and the Council's Landscape Officer has made a number of comments with regarding hedge mix and the proposed new hornbeam tree. Should the application have been recommend for approval, a condition would have been imposed requiring updated landscaping details to accommodate the Landscape Officer's comments.

Access and Highway Considerations

Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development on the road network would be severe.

Having regard to the National Planning Policy Framework, particularly Paragraph 109, the Highway Authority has reviewed the planning application against its own Development Management Policies to ensure the proposal site can be accessed safely, any additional trips would not be detrimental to

highway safety and capacity. They raise no objections to the scheme in highway terms.

OTHER ISSUES

Flood Risk

The Environment Agency (EA) has confirmed that the site lies in Flood Zone 1, and given this a specific Flood Risk Assessment was not required.

The proposals indicate that the levels of part of the site will be altered to accommodate the dwellings. As part of the application submissions and 'Spot Level Plan' is provided. At the front of the site, two spot heights are provided which shows a change in 5cm at one point and 29cm at another.

Concerns have been raised by some residents that the re-development of this site will result in increased surface water flooding in the area. Officers acknowledge these concerns, however given that the site lies within Flood Zone 1, and that the EA raise no objection to the principle of development of the site, no objection is raised on these grounds.

Habitat Regulations Assessment (HRA / RAMS)

Natural England have 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 Habitats Regulations.

The application site subject of this planning application is located outside of the updated Zones of Influence and therefore no appropriate assessment or contribution is required in this case.

PLANNING BALANCE AND CONCLUSION

The presumption in favour of sustainable development sits at the heart of the NPPF. The Framework is clear in its instruction at Paragraph 11d, that for decision-taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in Paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years), granting permission unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Such an assessment must take account of the economic, social and environmental impact of the proposed development and these matters must be considered in the overall planning balance.

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).

The principle of residential development at the site and the benefits of the scheme is established under the existing outline consent 16/01525/OUT. The applicant seeks permission only for reserved matters pursuant to this outline consent consisting of the access, appearance, landscaping, layout and scale of the development. Officers have sought to engage with the applicant to work towards an improved layout that could have been supported and even produced a suggested layout, however the applicant did not wish to amend the scheme.

As set out earlier in this report, it is considered that the proposed layout represents poor design and would result in unacceptable relationships between properties within the new development and those neighbouring the site in Water Lane, implicating the success of the scheme and unacceptable upon expected standards of amenity for existing and future occupiers. Furthermore the architectural style of the proposed new houses would not be in keeping with the character of the local area and do not reflect eclectic mix of architectural styles in the local area, such the development would not successfully integrate in to the village.

When applying the planning balance, Officers acknowledge that the principle of development has been established, however the contrived layout, poor relationships between the new dwellings within the site and with existing neighbouring properties and the unsympathetic architectural style would result

in sufficient harm that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Development Plan and the Framework taken as a whole.

The proposed development does not constitute sustainable development and it is recommended that, had the local planning authority been able to determine the application, planning permission for the Reserved Matters would have been refused.

RECOMMENDATION

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

- 1 The proposals would result in a poorly considered and contrived layout and a poor relationships between new dwellings and existing neighbouring properties which would be harmful to expected standards of amenity. Furthermore, the unsympathetic architectural style would not be in keeping with the character of the local area and would not reflect the eclectic mix of architectural styles within the local area. Cumulatively the scheme is considered to be ill conceived, resulting in a poor standard of design and layout and unacceptable implications on residential amenity. The proposal is therefore considered to be contrary to the NPPF, the National Design Guide, Policies RLP3 and RLP90 of the Adopted Local Plan, Policy CS9 of the Core Strategy, Policy LPP55 of the Draft Local Plan, and the Essex Design Guide.

SUBMITTED PLANS

Street elevation	Plan Ref: 1298.203.05	
House Types	Plan Ref: 1298.204.03	
House Types	Plan Ref: 1298.205.02	
House Types	Plan Ref: 1298.206.02	
House Types	Plan Ref: 1298.207.02	
House Types	Plan Ref: 1298.208.02	
Proposed Elevations and Floor Plans	Plan Ref: 1298.209.02	
Site Layout	Plan Ref: 1298.200	Version: 25
Parking Strategy	Plan Ref: 1298.201	Version: 10
Materials Details	Plan Ref: 1298.202	Version: 10
Refuse Information	Plan Ref: 1298.211	Version: 10
Drainage Plan	Plan Ref: 19094-CL-1000	Version: P3
Highway Plan	Plan Ref: 19094-CL-1001	Version: P3
Construction Details	Plan Ref: 210 08	
Landscaping	Plan Ref: 19/084-04	Version: 4

CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART A

AGENDA ITEM NUMBER 5b

APPLICATION NO: 20/00352/REM
DATE VALID: 11.03.20

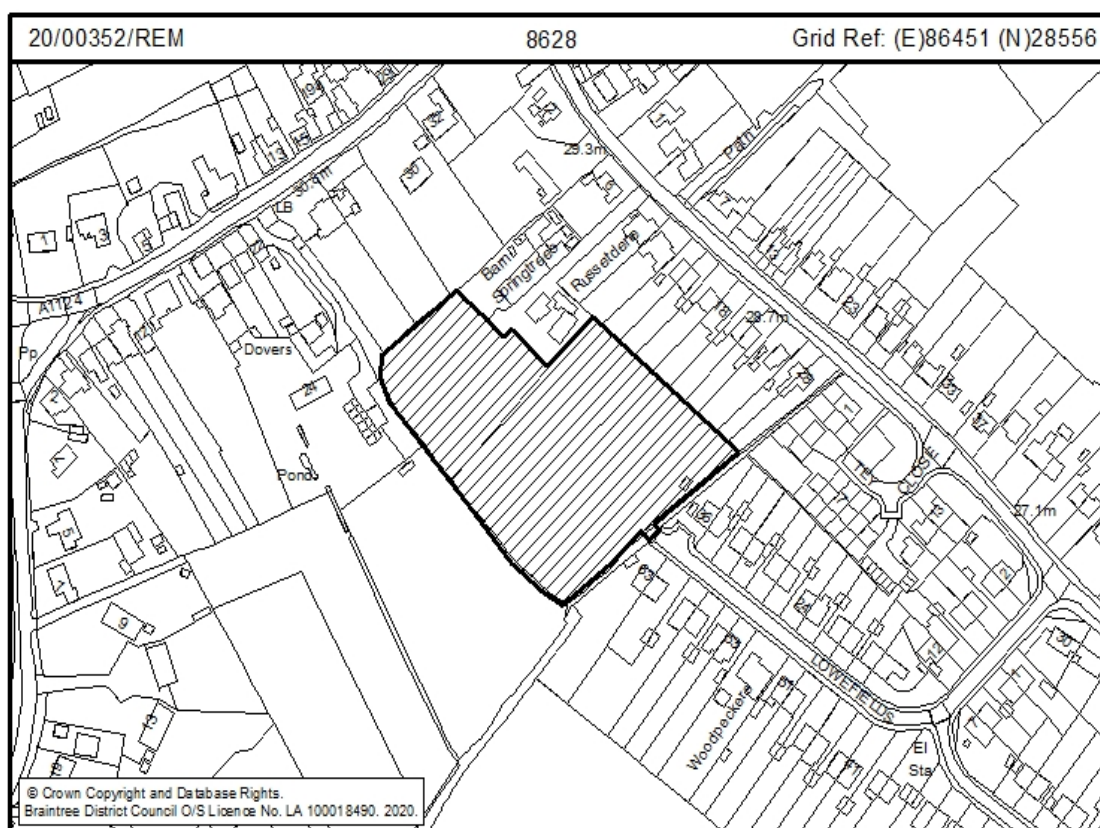
APPLICANT: Mr Simon Earl
B D G Design (South) Ltd, Southway House, 29 Southway,
Colchester, CO2 7BA, United Kingdom

AGENT: Mr Simon Earl
Bdg Design Ltd 1st Floor, Southway House, 29 Southway,
Colchester, CO2 7BA

DESCRIPTION: Application for approval of reserved matters following
outline approval 18/00214/OUT granted 20.05.2019 -
Approval of Reserved Matters (appearance, landscaping
and scale) for the erection of 23No. detached and semi
detached 1, 2, 3, 4 and 5 bedroom dwellings with
associated garages, parking, amenity areas, public open
space, estate roads, private drive, drainage infrastructure
and landscaping.

LOCATION: Land Rear Of, Tey Road, Earls Colne, Essex

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



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q67S73BFL0T00>

SITE HISTORY

18/00214/OUT	Erect 23 No. Detached and Semi-Detached, 1,2,3,4 and 5 Bedroom Dwellings and Associated Garages, Lay Out Parking, Amenity Areas, Public Open Space, Estate Roads, Private Drives, Drainage Infrastructure and Landscaping	Granted with S106 Agreement	20.05.19
19/02318/DAC	Application for approval of details reserved by condition 18 of approval 18/00214/OUT	Granted	28.04.20
20/00122/DAC	Application for approval of details reserved by condition 15 & 16 of approval 18/00214/OUT	Granted	28.04.20
20/00440/VAR	Variation of Condition 7 'Hours of Site Operation' of permission 18/00214/OUT granted 20/05/2019 for: Erect 23 No. Detached and Semi-Detached, 1,2,3,4 and 5 Bedroom Dwellings and Associated Garages, Lay Out Parking, Amenity Areas, Public Open Space, Estate Roads, Private Drives, Drainage Infrastructure and Landscaping. Variation would allow: - Site operation to commence at 0800 Monday to Friday as oppose to 0900 Monday to Friday.	Pending Decision	
20/00468/NMA	Non-Material Amendment to permission 18/00214/OUT granted 20.05.2019 for: Erect 23 No. Detached and Semi-Detached, 1,2,3,4 and 5 Bedroom Dwellings and	Pending Decision	

	Associated Garages, Lay Out Parking, Amenity Areas, Public Open Space, Estate Roads, Private Drives, Drainage Infrastructure and Landscaping. See covering letter for amendments	
20/00806/DAC	Application for approval of details reserved by condition 19 (b) of approved application 18/00214/OUT	Pending Consideration
20/01082/DAC	Application for approval of details reserved by conditions 6, 10, 11, 12, 13 and 14 of approved application 18/00214/OUT	Pending Consideration
20/01400/DAC	Application for the approval of details reserved by conditions 3, 4, 8 & 19(a) of approved application 18/00214/OUT	Pending Consideration

POLICY CONSIDERATIONS

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

The Council is currently working on a Draft Local Plan. Following consultation in the summer of 2016 this Publication Draft Local Plan was submitted to the Secretary of State on 9th October 2017.

The Publication Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government.

The examination into the Section 1 Local Plan continued in January 2020. Hearing sessions have now been completed, and the North Essex Authorities have now received an initial letter from the Inspector outlining his findings on the Section 1 Local Plan.

In his interim judgement the Inspector has considered that the Section 1 Local Plan cannot be found sound unless the Garden Communities at Colchester Braintree Borders and West of Braintree are removed from the Local Plan. The Inspector does agree with the housing target for Braintree, which equals a minimum of 716 dwellings per year.

In accordance with paragraph 48 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

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

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

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

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

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
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP22	Accessible Housing and Lifetime Housing
RLP49	Pedestrian Networks
RLP50	Cycleways
RLP51	Cycle Parking
RLP52	Public Transport
RLP54	Transport Assessments
RLP56	Vehicle Parking
RLP65	External Lighting
RLP67	Flood Risk in Undeveloped Areas
RLP69	Sustainable Urban Drainage
RLP70	Water Efficiency
RLP71	Water Supply, Sewerage & Drainage
RLP72	Water Quality
RLP74	Provision of Space for Recycling
RLP77	Energy Efficiency
RLP80	Landscape Features and Habitats
RLP81	Trees, Woodland Grasslands and Hedgerows
RLP84	Protected Species
RLP90	Layout and Design of Development
RLP91	Site Appraisal
RLP92	Accessibility

RLP93	Public Realm
RLP95	Preservation and Enhancement of Conservation Areas
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings
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
CS9	Built and Historic Environment
CS10	Provision for Open Space, Sport and Recreation
CS11	Infrastructure Services and Facilities

Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Strategy for North Essex
SP3	Meeting Housing Needs
SP5	Infrastructure & Connectivity
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP33	Affordable Housing
LPP37	Housing Type and Density
LPP44	Sustainable Transport
LPP45	Parking Provision
LPP49	Broadband
LPP50	Built and Historic Environment
LPP51	An Inclusive Environment
LPP52	Health and Wellbeing Impact Assessment
LPP53	Provision of Open Space, Sport and Recreation
LPP55	Layout and Design of Development
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
LPP75	Energy Efficiency
LPP78	Flooding Risk and Surface Water Drainage
LPP79	Surface Water Management Plan
LPP80	Sustainable Urban Drainage Systems

Earls Colne Neighbourhood Plan

The Earls Colne Neighbourhood Plan is at a very early stage of preparation (pre-regulation 14) where a Neighbourhood Plan has been agreed in principle and is currently in the process of being drafted. As it has no formal status yet, it is considered that no weight can be attributed to the Earls Colne Neighbourhood Plan at this time.

Other Material Considerations

Essex Design Guide

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

Essex Parking Standards/Urban Space Supplement
Village Design Statement

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with the Council's scheme of delegation as the application is considered to be of significant public interest. The Parish Council has also objected to the proposal contrary to Officer recommendation.

SITE DESCRIPTION

The application site comprises a parcel of land located behind Tey Road in Earls Colne. The land is relatively open within the site but is surrounded by residential development on three sides with Upper Holt Street to the north west, Tey Road to the north east and Lowefields to the south east. To the west is a paddock. The existing vehicular access to the site comes from a private drive serving 'Springtrees' and a small scale B8 (storage) complex of buildings on the northern tip of the site.

Public Right of Way 75_34 runs parallel to the southern tip of the site extending from Tey Road, through to Lowefields and eventually Coggeshall Road. On the adjacent paddock is also a row of trees subject to a Tree Protection Order.

BACKGROUND

Outline planning permission (Application Reference 18/00214/OUT) was granted at the site on 20.05.2019 for the erection of 23 dwellings, which included access and layout particulars. This current application now assesses the other detailed matters reserved for consideration, namely: Appearance, Scale, and Landscaping.

A subsequent application to vary the outline planning permission was recently reported to Planning Committee on 23.06.2020 where Members resolved to grant planning permission for the proposal to vary Condition 7 of application reference 18/00214/OUT, which related to the hours of working for construction vehicles (Application Reference 20/00440/VAR). This variation application is currently subject to the completion of the related Deed of Variation to the Section 106 Agreement and has not yet been issued.

Furthermore, an application for a S96a Non-Material Amendment (Application Reference 20/00468/NMA) has been submitted at the site to amend some elements of the approved layout in application 18/00214/OUT. These are discussed below.

By way of context, an NMA application allows for changes to be made to a planning application without requiring a new planning application to be submitted. The changes however must be considered to be 'non-material' to the approved planning application. There is no statutory definition of 'non-material' as it is dependent on the context of the overall scheme. An amendment that is non-material in one context may be material in another.

In this case, the density and quantum of development would remain the same (approx. 23 dwellings per Hectare), and all gardens would remain above the required size, but there have been some necessary amendments due to the requirements of Essex Highways to have the main spine road adopted, as well as other site specific elements. The changes proposed through the NMA (20/00468/NMA) are as follows:

- The relocation of garages associated with plots 1, 3, 6, 7, 8, 12, 15 and 22;
- The addition of a garage to plot 23;
- The removal of a garage to plot 11;
- Repositioning of plot 2 to enable a better relationship with neighbouring visitor spaces;
- Amendments to the landscaping including provision for managing the existing hedge on the southern boundary, removal of proposed hedge adjacent to plots 3, 4 and 10, removal of maintenance strip no longer required, amendments to the planting scheme around the open space area and increased street planting;
- Highway amendments include footway and carriageway amendments made to reflect comments from the highways officer, and rearrangement of visitor parking spaces across the site;
- Amendments to the parking space location for plots 17 and 18;
- Amendments to the garden of plots 17 and 18 to provide a communal garden rather than two separate spaces; and
- Amendments to the affordable housing units to ensure compatibility with Building Regulations and to meet requirements of the affordable housing provider.

In this case, Officers are satisfied that the above changes would be small scale in the context of the scheme as a whole. As such, Officers are satisfied that the changes are non-material and are acceptable in planning terms. For

the avoidance of doubt, NMA applications are determined under delegated powers. However, as these changes are related to the Reserved Matters submission, a formal decision has not yet been issued.

PROPOSAL

This Reserved Matters application considers matters of Appearance, Scale and Landscaping. In respect of appearance, the application proposes traditional style dwellings with a red brick and a blue/black roof tile. It also includes some small elements of white weatherboarding on some dwellings to add variety in the street scene. The front windows of all properties would have stone headers and cills where appropriate, while flat cap canopies will be used consistently across the development. The rear of properties would have standard soldier courses above the windows.

In respect of scale, the development would comprise 2 one bedroom flats, 6 two bedroom dwellings, 4 three bedroom dwellings, 9 four bedroom dwellings and 1 five bedroom dwelling. Of the 23 units, 9 would be affordable as agreed at the Outline stage. All dwellings would be two stories in height.

In respect of 'Landscaping', the layout also includes an area of open space as agreed at the outline stage. This open space will primarily serve as a SUDS attenuation basin, but would have a small degree of usability. This is discussed further in the report. It will however provide positive visual amenity in the street scene and ecological benefits on the application site. The existing hedging/trees adjacent to the western boundary of the site (outside of the application site) would be retained.

CONSULTATIONS

BDC Environmental Health

No objection.

BDC Ecology Officer

No objection – require some additional information for some of the conditions attached to the Outline approval but nothing specifically to do with matters currently for consideration (landscaping, scale and appearance).

BDC Waste Services

Highlights that waste crews can only walk 20m from the adopted highway to collect refuse bins.

BDC Housing Officer

No objection to Affordable Housing mix proposed but sought clarity on wheelchair accessibility. The agent confirmed that the units would comply with the accessibility criteria.

BDC Landscape Services

Raise no objection to the proposals.

ECC Highways

No objection to S38 plans which are secured separately through the Highways Act.

ECC SUDS

No objection subject to conditions.

ECC Archaeology

No objection.

Historic Buildings Consultant

Initially raised concerns that the development would not be in keeping with the wider character of the area. However following detailed discussions between Officers, the Urban Design Officer and the Historic Buildings Consultant, amendments were sought to satisfy these concerns. These were subsequently submitted and no further objections have been raised by the Historic Buildings Consultant.

Natural England

HRA should be secured.

Essex Police

No objection – encourage the developer to comply with Approved Document Q by achieving a secure by design award.

Anglian Water

No objection.

PARISH/TOWN COUNCIL

Earls Colne Parish Council

Objected to the initial plans for the following summarised reasons:

- Height of buildings not in keeping with bungalows on Lowefields
- Close proximity to existing properties on Tey Road
- Overcrowding of the site
- Plans for the area designated as community land

REPRESENTATIONS

The application underwent three periods of consultation; 21 days when it was made valid on the 11th of March, a further 21 days re-consultation on the 17th of July, and a further 14 day re-consultation on the 24th of August.

Across all of these consultations, one general comment has been received and five objection comments detailing the following summarised comments/concerns:

- Heights not specified (*on initial plans*) but some appear excessive
 - Only bungalows should be permitted
 - Potential for loft space conversions in the future
- Unacceptable overlooking of properties on Tey Road and Upper Holt Street – plots should be moved closer to the road
- No details of street lighting provided – this should be included up front
 - No details of private rear lights have also been provided – could be unacceptably bright in this location
- No plot distances specified to neighbouring boundaries
- Overcrowded and out of keeping with the density of the existing neighbourhood – quantum of units should be reduced
- Risk of developing further into adjacent parcels by not having a strong boundary outside plots 3 and 4
 - Queries to do with a ransom strip
- Bat and bird boxes good but need expert advice
- HRA needs to be completed
- Open space on the site is for SUDS and not for residents to enjoy
- Hours of construction traffic should not be changed
- Concerns about the new surface water connection required and the potential shutting of Tey Road- with traffic having to use Chalkney Hill which is unsafe

REPORT

PRINCIPLE OF DEVELOPMENT

The principle of developing this site for residential purposes has been established through the grant of outline planning permission (Application Reference 18/00214/OUT). Matters of Access and Layout have also been previously approved. As such, this proposal considers matters reserved for consideration at the outline planning application stage, namely: Appearance, Scale and Landscaping.

SITE ASSESSMENT

Paragraph 124 of the National Planning Policy Framework (NPPF) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It also states that 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. Paragraph 127 of the NPPF states, amongst other things, that developments should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Furthermore, the Governments 'National Design Guide 2019' places increased importance on the importance of good design, amenity, wellbeing and sense of place for all developments.

Policy RLP95 of the Adopted Local Plan and Policy LLP56 of the Draft Local Plan states that the Council will preserve, and encourage the enhancement of, the character and appearance of the designated Conservation Areas and their settings, including inter alia the buildings and historic features and views into and within the constituent parts of designated areas. Proposals within/adjoining Conservation Areas will only be permitted where the proposal does not detract from the character, appearance and essential features of the Conservation 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 Draft Local Plan seeks to secure the highest possible standards of design and layout in all new development and the protection and enhancement of the historic environment.

The Council has adopted the Essex Design Guide as a Supplementary Planning Document. This indicates that dwellings with two bedrooms should be provided with a private rear garden of 50sq.m or more, and three bedroom dwellings should be provided with 100sq.m or more. Furthermore, Policy RLP56 of the Adopted Local Plan requires that sufficient vehicle parking should be provided for all new development in accordance with the Essex County Council Vehicle Parking Standards 2009.

Appearance & Materials

The design and appearance of the dwellings has gone through a number of iterations since the application was first submitted. Initially the site introduced a mixture of brick, weatherboard (different colours), render as well as some more unusual projecting gable features. Some of the house types also had higher ridges which created a steeper roof pitch. Some of the finer details were also lacking in terms of appropriate headers and cills, while the use of some mono-pitch porches appeared overly clunky.

Though negotiations with Officers and the Developer, the scheme was considerably simplified down to consist of one red brick, with one roof tile. All porches were changed to flat caps to be consistent and less bulky, while

stone headers and cills were placed on the front of the properties as appropriate. There are now only some instances of white weatherboarding which have remained to continue to add a small amount of visual interest. The pitches of the roofs on the site are all now consistent with no higher ridges as previously proposed. The garages were also re-orientated to be gable fronted as opposed to facing the roadway with the roof. In addition, the affordable dwellings at the site have been designed to be tenure blind, both in terms of their appearance and the materials used in hard surfacing.

The changes were sought in consultation with the Council's Urban Design Officer and Essex County Council's Historic Buildings Consultant. In terms of wider character references, the site takes some cues from properties along Tey Road, but does not replicate the character found on Lowefields. This is not however an area of concern, taking into account the eclectic mix of dwellings within the locality. The development would also be clearly distinct from Lowefields as a later addition, which in this case is considered to be preferable to replicating or referencing the appearance of those properties on Lowefields.

Overall, it is considered that the over-arching intent of the design and appearance of the proposed dwellings is now acceptable and responds appropriately to both the application and surrounding context. The exact materials to be utilised for the development are subject to approval, pursuant to Condition 3 on the outline planning permission (Application Reference 18/00214/OUT).

Quantum, Mix and Scale

In accordance with the outline consent, the development provides 23 new dwelling units comprising; 2 one bedroom flats, 6 two bedroom dwellings, 4 three bedroom dwellings, 9 four bedroom dwellings and 1 five bedroom dwelling. Of the 23 units, 9 would be affordable as agreed at the Outline stage. All dwellings would be two stories in height, while the flats would appear as maisonettes.

A number of representations raised concerns with the two storey nature of the development from both a character and amenity perspective. In regards to character, it has been stated in representations that the site should be developed for bungalows, to reflect the existing character on Lowefields. However, while Lowefields is predominantly made up of bungalows, there are some instances of 1½ / 2 storey development near the entrance with Tey Road. As such, two storey dwellings would not be out of keeping in this context.

Furthermore Lowefields is a development which is characterised of its time. As such, it would not represent good design to attempt to mimic that scale and character in modern development. The site would instead become its own cluster of dwellings at the end of a cul-de-sac, visually distinct from Lowefields, but not out of character with other dwellings in the locality. Taking all of the above into account, it is considered that two-storey dwellings would

be acceptable at the site. Impacts in respect to amenity are discussed in a later section.

In terms of external amenity, the layout was agreed at outline stage, with minor modifications proposed through an NMA as set out in the 'Background' section above. All garden sizes would comply with the Essex Design Guide standards. In terms of internal amenity, all of the proposed dwellings (market and affordable) would either comply with, or exceed, the Nationally Described Space Standards. In addition, it is considered that all dwellings would have sufficient outlook and access to natural light. As such, it is considered future occupiers of the development would be provided with good amenity. As such, from a quantum, mix and scale perspective, it is considered the proposal is acceptable.

Landscaping, Ecology and Public Open Space

The application provides a detailed landscaping schedule which indicates areas of grass land, hedging and trees which would be provided in order to enhance the character and appearance of the development. The development also includes bat boxes, bird boxes and swift boxes. These finer ecological enhancements are secured by way of condition (Condition 15 of the outline planning permission) and demonstrates additional biodiversity enhancement at the site.

The hedge on the western boundary would continue to be retained, but now comprises a close boarded fence around it. The management of the hedge would therefore be limited to any branches overhanging the fence, which would not be an onerous responsibility for future occupiers. Taking into account the above, and from Officer's site visits, it was determined that the previously secured maintenance strip as part of the layout, could be removed. This is proposed to be secured through the non-material amendment application (set out in 'Background' section above). The hedge would be outside of the ownership of any dwelling at this site, and therefore it will not be able to be removed by the developer or any future occupier of the development without consent of the land owner.

In terms of the public open space area, at the outline planning application stage it was envisaged that it would comprise some (albeit small) useable public amenity space for future occupiers. However, in considering the detailed landscape and SUDS requirements of the scheme, it transpired that a deeper and more engineered attenuation basin was required than was originally envisaged. As a consequence, Officers raised concerns about the usability of the public open space with the developer and asked for further clarity to be provided. Section drawings were therefore submitted which showed that the open space would have some amenity benefit, but in reality owing to its small size and the SUDS requirements, would not likely be fully useable for future residents. This is also partially indicated within the landscape drawings, which show that the open space would be surrounded by a 1.2m high knee rail fence and includes gabions on one side to be able to

provide a suitable retaining wall from the road. However, the open space at the site would still have a positive ecological and visual amenity value.

SUDS and open space are often able to be combined and still provide a good level of usable space for future occupiers. In this case, owing to the small size of the public open space, it is not possible to achieve a shallower attenuation basin as is usually secured on larger development sites with larger areas of open space available. In this case, the amenity space for the development was always small and related to the scale of the development, and while it would have provided some benefit, this benefit was always more limited owing to its small scale.

As a consequence of the above, owing to the small size of the development and the small scale of the open space, Officers are satisfied that the lack of full usability of the public open space does not render the application unacceptable in principle. Officers have instead negotiated an additional 'amenity greenspace' financial contribution of £8,754.48 in accordance with the Council's Open Space SPD, to secure improvements to other open space within Earls Colne.

Rather than entering into a separate legal agreement to secure this financial contribution, it is instead proposed that this additional amenity greenspace contribution would be secured as an additional obligation within the Deed of Variation to the Section 106 Agreement attached to the S73 variation application (Application Reference 20/00440/VAR), which has not to date been completed. As set out within the Recommendation section of this report, it is recommended that any Reserved Matters approval would not be issued until this legal agreement has been completed, and a decision on the S73 variation application has been issued.

As set out within the description of the proposal, this Reserved Matters application was submitted pursuant to the original outline planning permission (Application Reference 18/00214/OUT). As the S73 Variation application (once a decision has been issued) would represent a new outline planning permission for the site, which carries over all of the conditions attached to the original Outline planning permission (with the exception of Condition 7, which related to the hours of working for construction vehicles, which was varied), after a decision on the S73 Variation application was granted, it would be necessary to update the description of development for this Reserved Matters application so that the Reserved Matters were pursuant to the S73 Variation permission, as opposed to the original outline planning permission.

Overall, taking into account the above, it is considered that matters of landscape are acceptable for this development.

Impact on Neighbour Amenity

A core principle of the National Planning Policy Framework is that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Draft Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties.

Layout has been previously agreed by way of the outline permission, while the NMA as set out in the 'Background' section only proposes minor modifications. As such, in determining neighbour impact, the Reserved Matters application is required to assess the scale and appearance of the properties, to determine what if any impacts would arise from these elements.

Firstly, in terms of Plots 15-23, these would all back onto existing properties on Tey Road. As has been established through the layout, the shortest distance from the first floor rear of these plots to the common boundary would be 20m. The average distance would be higher. From the common boundary, there would be approximately another 30m to the rear of properties on Tey Road. Therefore, the back to back distances between these properties would be in the region of 50m+. This is double the Essex Design Guide Standard which requires back to back distances of 25m for new two storey development. As plots 15-23 would all be two storey, owing to the large separation distance it is considered that the amenity for the residents of Tey Road would not be detrimentally affected by the proposal.

Plot 23 and Plots 1 and 3 would also be adjacent to No.36 and No.63 Lowefields respectively. Plot 23 and Plot 1 would both have a side on relationship with No.36 and No.63 respectively, with a generous separation distance of over 15m and no first floor side windows. The position of these plots would also be relative to No.36 and No.63 respectively.

The plot which would have a perpendicular relationship to No.63 would be Plot 3. No.63 also has a large garden, approx. spanning 25m from the rear of the property and 7.5m to the side boundary. To reach Plot 3 at the shortest point, it would be over 35m away from the side of No.63. Plot 3 would also have a garden depth of 14m, then a further 5m across hedgerow and PROW, so would be 19m from the common boundary with No.63. Due to its position, it would be much lower than No.63, thereby any overlooking (which would be limited due to the separation distance) would be concentrated at the far end of the garden of No.63, and not the area of sensitive amenity space at the very rear of the property. Furthermore, the garage for Plot 3 would also likely assist in mitigating views at an acute angle towards the rear of No.63. Taking all of the above into account, it is considered that Plot 3 would not detrimentally affect the amenity of No.63. As such, it is considered that the amenity for the residents of No.36 and No.63 Tey Road would not be detrimentally affected by the proposal.

Properties on Upper Holt Street are also set back by a considerable distance, some 50m, while there would be a closer relationship with some back land development, this would still be approx. 25m from the boundary with No.26 Upper Holt Street and its annexe. As such, due to the scale of the proposed dwellings, it is considered that the amenity of properties accessed from Upper Holt Street would also not be detrimentally affected by the proposal.

Highway Issues

The access to the site from Lowefields has been approved as part of the outline planning permission (Application Reference 18/00214/OUT). These particulars are therefore acceptable.

In terms of layout, the changes as set out in the 'Background' section of the report were principally driven by Highway requirements, which had knock on effects for the remaining development. In any case, Essex Highways are satisfied that the layout now proposed by the NMA (20/00468/NMA) is acceptable and would meet all required highway standards. Overall, from a highways perspective, it is considered the proposal is acceptable.

A number of concerns were raised about the adequacy of the junction of Tey Road and Upper Holt Street, and whether this would be suitable to accommodate both new traffic generated by the development and construction vehicles. While these comments are noted, these issues were addressed and considered at the outline planning application stage. These issues do not therefore form part of the considerations of this application, which as previously outlined is solely related to the matters of scale, appearance and landscaping.

Habitat Regulations Assessment (HRA)

The Ecology Officer identifies that the site is situated within the Zone of Influence (ZOI) for the Blackwater Estuary SPA/Ramsar site. As such, the developer is required to pay a financial contribution towards offsite visitor management measures for the Blackwater Estuary SPA & Ramsar site, (£125.58 per dwelling). In accordance with S111 of the 1972 Local Government Act, the Developer has agreed to pay this contribution (£2,888.34) up-front prior to any decision on the application being issued opposed to entering into a separate unilateral undertaking. As such, it is considered the development would not have an unacceptable impact on the Blackwater Estuary SPA/Ramsar site.

Other Issues

Concerns were raised in respect to the water/sewage connections required and the resultant closure of Tey Road. However, these particulars were all considered at the outline stage, and a condition imposed accordingly to reduce the impacts of the development as far as possible.

Concerns were also raised in respect to hours of construction, however again these are matters which have been secured through the Outline stage and most recent Variation application 20/00440/VAR which sought to amend construction hours.

Concerns were also raised in respect to street lighting and its possible location. Lighting is also however covered by Condition 19 of the outline

application approval (18/00214/OUT) which will be carried across to the variation approval. Officers will carefully assess these details when submitted to ensure they are appropriate.

PLANNING BALANCE AND CONCLUSION

The presumption in favour of sustainable development sits at the heart of the NPPF. The Framework is clear in its instruction at Paragraph 11d, that for decision-taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in Paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years), granting permission unless:

- (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Such an assessment must take account of the economic, social and environmental impact of the proposed development and these matters must be considered in the overall planning balance.

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).

The principle of residential development at the site is established through the grant of outline planning permission (Application Reference 18/00214/OUT). The applicant seeks permission only for reserved matters for the Appearance, Scale and Landscaping of the development.

In this case, there are considerable public benefits which would arise from the development. These include but are not limited to; securing a good tenure blind design and layout in the context of the wider character of the area, securing a good quality of external and internal amenity for future occupiers, affordable dwellings which meet the accessibility standards and limited potential harms to neighbouring residential properties. These benefits would be in addition to those secured at the outline stage which include; that the site would be in an accessible location and would contribute to the Districts Housing Land Supply. The development would secure affordable housing, as well as contributions to local infrastructure including schools and improving footpaths.

As such, Officers consider that the proposed appearance; landscaping; and scale of the development is acceptable in planning terms. Overall it is considered that the detailed proposal constitutes a sustainable residential development in an appropriate location and accordingly it is recommended that the application is approved.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
The Reserved Matters application is APPROVED subject to:

1. The completion of a suitable legal agreement to secure the £8,754.48 'amenity greenspace' financial contribution, which may include the incorporation of this obligation with the Deed of Variation to the Section 106 Agreement attached to the S73 Variation Application (Application Reference 20/00440/VAR);
2. The decision on the Non-Material Amendment application (Application Reference 20/00468/NMA) being issued;
3. The decision on the S73 Variation application (Application Reference 20/00440/VAR) being issued;
4. The description of development for this Reserved Matters application being amended so that the Reserved Matters are pursuant to the S73 Variation Application (Application Reference 20/00440/VAR) as opposed to the original outline planning permission (18/00214/OUT);
5. The following conditions and reasons and in accordance with approved plans:

RECOMMENDATION

It is RECOMMENDED that the following decision be made:

Application GRANTED subject to the following condition and reason and in accordance with approved plans:-

APPROVED PLANS

Site Layout	Plan Ref: 101	Version: PL7
General	Plan Ref: 102	Version: PL5
Materials Details	Plan Ref: 104	Version: PL7
Refuse Information	Plan Ref: 103	Version: PL5
Proposed Elevations	Plan Ref: 204	Version: PL4
Proposed Elevations	Plan Ref: 203	Version: PL4
Proposed Elevations	Plan Ref: 204	Version: PL4
Proposed Elevations	Plan Ref: 207	Version: PL5
Proposed Elevations	Plan Ref: 202	Version: PL5
Proposed Elevations	Plan Ref: 205	Version: PL5
Proposed Elevations	Plan Ref: 208	Version: PL7
Proposed Elevations	Plan Ref: 209	Version: PL4
Proposed Elevations	Plan Ref: 210	Version: PL6
Proposed Elevations	Plan Ref: 211	Version: PL6
Street elevation	Plan Ref: 400	Version: PL5
Landscape Masterplan	Plan Ref: 105	Version: P9
Landscape Masterplan	Plan Ref: 106	Version: P9
Tree Plan	Plan Ref: 108	

- 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.

SUBMITTED PLANS

Schedule of Works		
Garage Details	Plan Ref: 300	Version: PL2
Proposed Elevations	Plan Ref: 206	Version: PL3
Site Layout	Plan Ref: IA19/256/1040	Version: P3
Site Layout	Plan Ref: IA19/256/1041	Version: P3
Landscape Masterplan	Plan Ref: 107	Version: P3

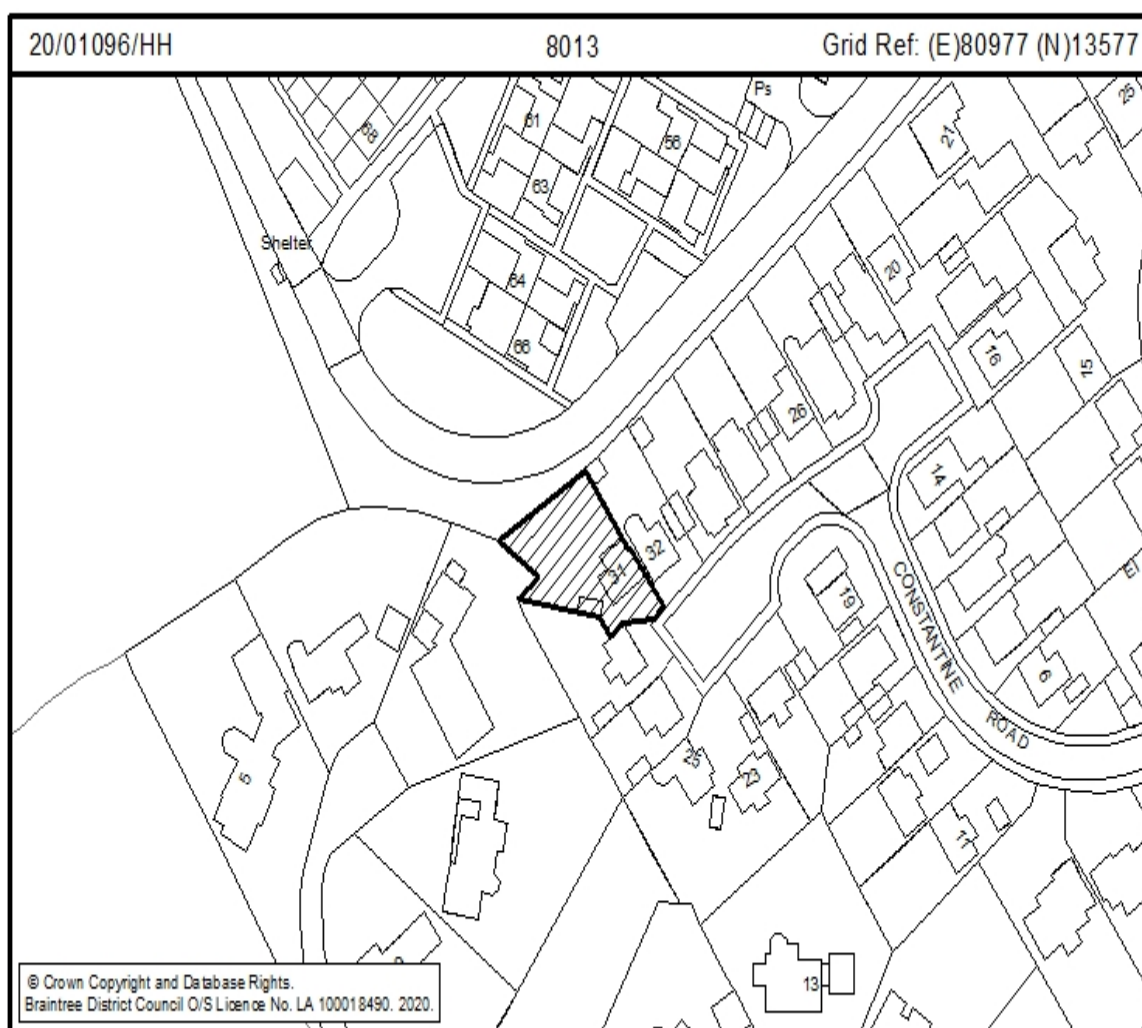
CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER

PART B

AGENDA ITEM NUMBER 5c

APPLICATION NO: 20/01096/HH
DATE VALID: 08.07.20
APPLICANT: Mr & Mrs Howell
31 Constantine Road, Witham, CM8 1HL
AGENT: Mr Adam McLatchie
8 South Street, Rochford, SS4 1BQ
DESCRIPTION: Two-storey rear extension, two-storey side extension, and front porch canopy
LOCATION: 31 Constantine Road, Witham, Essex, CM8 1HL

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



The application can be viewed on the link below.

<http://publicaccess.braintree.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QD5273BFFH100>

SITE HISTORY

92/00672/TPO	To thin two sycamores trees	Granted	15.07.92
20/00301/HH	Two-storey rear extension, single-storey side/rear extension with first floor roof terrace, two-storey side extension, front porch canopy and provision of pitched roof to existing garage.	Refused	16.04.20

POLICY CONSIDERATIONS

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

The Council is currently working on a Draft Local Plan. Following consultation in the summer of 2016 this Publication Draft Local Plan was submitted to the Secretary of State on 9th October 2017.

The Publication Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government.

The examination into the Section 1 Local Plan continued in January 2020. Hearing sessions have now been completed, and the North Essex Authorities have now received an initial letter from the Inspector outlining his findings on the Section 1 Local Plan.

In his interim judgement the Inspector has considered that the Section 1 Local Plan cannot be found sound unless the Garden Communities at Colchester Braintree Borders and West of Braintree are removed from the Local Plan. The Inspector does agree with the housing target for Braintree, which equals a minimum of 716 dwellings per year.

In accordance with paragraph 48 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

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

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

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

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

National Planning Guidance

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

Braintree District Local Plan Review 2005

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

Braintree District Local Development Framework Core Strategy 2011

CS9	Built and Historic Environment
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Braintree District Publication Draft Local Plan 2017

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

Neighbourhood Plan

N/A

Other Material Considerations

Essex Design Guide

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

Essex Parking Standards

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to Planning Committee in accordance with the Council's scheme of delegation as Witham Town Council have objected to the proposal contrary to Officer recommendation.

SITE DESCRIPTION

No.31 Constantine Road is a detached dwelling on a housing development constructed around the 1980s which is located within the Witham Town Development Boundary.

The property is set in a roughly wedge-shaped plot, tucked in at the end of a row of similar dwellings on the north side of a hammer-head configuration at the end of the road, backing onto Allectus Way. There is a small conservatory at the rear adjoined to the existing two-storey gable projection and a single-storey garage building set to the west side of the dwelling at a 45 degree angle.

There is a sycamore within the back garden which is safeguarded by a Tree Preservation Order. The application site is not located within a Conservation Area and there are no statutory listed buildings in the vicinity.

PROPOSAL

Planning permission is sought for a two-storey rear and side extension, and front porch canopy. The application is a revised proposal following the recent refusal of application reference 20/00301/HH. This was refused as it was concluded that the design of the proposal was overly complicated, bulky and not compatible with the host dwelling. It was also considered that it would result in harm to the amenity of No.32 Constantine Road.

This proposal seeks to overcome the reasons for refusal by simplifying the design, reducing the overall footprint and bulk of the extensions and omitting a first-floor roof terrace which was previously proposed. The development would now involve increasing the width of the existing rear gable, the creation of a second gable which would wrap around the side of the dwelling, joining on to the garage and creating a gable to the side.

The extension would measure approximately 6.305m in height, 8.57m in width and 2.6m in depth at the rear, with the side extension measuring approximately 3.17m in width. The conservatory would be replaced and a sloping roof added up to a height of 5.18m to the ridge and 4.05m to the eaves. An open porch canopy is proposed around the front door, measuring approximately 3.478m in height. The extension would provide 2 sets of patio doors and a single casement window at ground floor and 2 double windows and a single casement window at first floor on the rear elevation, together with a single casement window on the ground and first floor on the front. No

windows are proposed on the side elevations. The proposal represents an increase in the footprint of approximately 25sqm compared to 32sqm for the refused scheme.

Whilst the proposal will render the garage unusable for its original purpose of parking a car, there is sufficient space across the frontage to accommodate 2 vehicle car parking spaces. The materials proposed are brick to ground floor, with fibre cement cladding to first floor and roof tiles to match existing.

The application is accompanied by an Arboricultural Survey and Assessment.

CONSULTATIONS

BDC Landscape Services – Raise no objection subject to conditions.

PARISH / TOWN COUNCIL

Witham Town Council recommends refusal on the grounds of the loss of garage space, over-development and poor design contrary to Policy RLP17.

REPRESENTATIONS

No neighbour representations have been received in connection with this application.

REPORT

Principle of Development

The application site is located within the Witham Town Development boundary where the principle of extensions to existing dwellings is acceptable as established by Policy RLP17 of the Adopted Local Plan and Policies LPP1 and LPP38 of the Draft Local Plan, subject to design, amenity and highway criteria.

Design and Appearance

Paragraph 124 of the National Planning Policy Framework (NPPF) sets out that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve'. It cites good design as a 'key aspect of sustainable development'. Paragraph 130 of the NPPF is explicit stating that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policies RLP17 of the Adopted Local Plan and LPP38 of the Draft Local Plan set out design criteria for extensions and outbuildings which aim to ensure that there is no over-development of the plot, that the siting, bulk, form and materials of the development are compatible with the host dwelling, and that unacceptable adverse impact on the amenities of adjoining residential

properties does not occur, or material harm to the street scene. Policy RLP90 of the Adopted Local Plan, Policy CS9 of the Adopted Core Strategy and Policy LPP55 of the Draft Local Plan require a high standard of design in all new development in order to ensure it respects local context in terms of scale, density, height and massing of buildings.

The changes made to the design of the proposal have improved the overall appearance of the extensions by simplifying the articulation of the side element, and following the clean and simple lines of the host dwelling. Much of the bulk has also been lessened by omitting the angled projection and reducing the footprint. As a result it is considered that the proposal would not result in over-development of the site.

When viewed from the public domain of Constantine Road to the front, the side extension has a generous set back from the front elevation of the property and the ridge line set down. This increases its subservience and it would recede from view. To the rear, fleeting views of the gable extensions would be glimpsed when travelling south along Allectus Way. These would be seen in the context of existing built form and would be significantly obscured by existing vegetation.

Officers are concerned at the proposed materials, particularly the use of fibre cement cladding, which would not match the host property or blend in with the local context. In this regard, further information on the materials will be provided to Members at the meeting. Notwithstanding this issue, the design of the proposal is considered sympathetic to the host dwelling, and would not result in harm to the character or appearance of the surrounding area, in accordance with the requirements of the abovementioned policies.

Impact on Neighbour Amenity

Policy RLP17 of the Adopted Local Plan and Policy LPP38 of the Draft Local Plan also require that development does not result in harm to the amenity of neighbouring residential properties as a result of being overbearing, impacting on privacy, adversely increasing overshadowing or loss of light.

The two-storey rear extension has been brought in line with the existing gable projection at 2.6m in depth and this together with the reduction in roof height of the section immediately adjacent to No.32 Constantine Road has reduced the overall bulk of the proposal to an acceptable level. This coupled with the removal of the roof terrace would ameliorate the impact of the extensions by reducing the likelihood of them being over-bearing or likely to cause adverse overshadowing.

As such, it is considered that the proposal would not result in an unacceptable loss of light, outlook or visual intrusion and is therefore compliant with the abovementioned policies.

Highway Considerations

Policy RLP56 of the Adopted Local Plan and Policy LPP45 of the Draft Local Plan states that developments should comply with the parking standards set out in Essex County Council's Vehicle Parking Standards document. Accordingly, the requirement for dwellings with 2 or more bedrooms is a minimum of 2 parking spaces measuring 2.9m x 5.5m.

Whilst the proposal will prevent the garage being used for vehicle parking, its internal floor area is short of the adopted Standard of 7m by 3m required for a garage. Given that there is adequate space on the plot frontage of approximately 62sqm, it is considered that it is possible to provide the minimum of 2 spaces for a dwelling of this size. The proposal is therefore not objectionable in highway terms.

Trees

To the rear of the dwelling is a large Sycamore tree, located within the back garden of the application site, which is safeguarded by a Tree Preservation Order. The root protection area would be located outside the area of development and the application has been supported by an Arboricultural Assessment which outlines proposed tree protection measures. This has been reviewed by the Council's Landscape Officer who has confirmed that they have no objection subject to the implementation of those recommended measures. Therefore the imposition of a suitably worded condition has been recommended and would ensure the protection of this tree.

CONCLUSION

The design and appearance of the proposal would be in keeping with the character and appearance of the existing property and would not have a detrimental impact upon neighbouring residential amenity. 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

Location / Block Plan	Plan Ref: 101 rev.F
Proposed Elevations and Floor Plans	Plan Ref: 101 rev.F
Arboricultural Report	Plan Ref: 102 rev.A

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

Reason

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

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

Reason

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

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

Reason

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

- 4 The development shall be carried out in accordance with the approved arboricultural report undertaken by Front Architecture, dated 17.2.20. No alterations or variations to the approved works or tree protection scheme shall be made without the prior written consent of the local planning authority. The approved means of tree protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the development to the complete satisfaction of the local planning authority.

Reason

To ensure the protection and retention of existing trees which are the subject of Tree Preservation Orders.

CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER