

SITE PLAN ATTACHED

07. WOODACRE THE GLADE HUTTON ESSEX CM13 2JL**DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION THREE NEW DWELLINGS.****APPLICATION NO: 16/00134/FUL**

WARD	Hutton South	8/13 WEEK DATE	24.03.2016
PARISH		POLICIES	NPPF NPPG CP1 H17 T2 C5 C3
CASE OFFICER	Mrs Charlotte White	01277 312500	
Drawing no(s) relevant to this decision:	SK1 ; DESIGN & ACCESS STATEMENT ; BIODIVERSITY ASSESSMENT ; SK11 /REV C; SK12 /REV A; SK13 ; SK3 /REV A; SK5 /REV D; SK7 /REV F; TREE PROTECTION PLAN ; ARB. REPORT ; SK4 /REV E; SK6 /REV E; SK8 REV A ;		

This application was referred by Cllr Reed for consideration by the Committee.
The reason(s) are as follows:

Design, bulk, privacy and overlooking, insufficient plot width to Plot 2 (Policy H15)
Evidence of grass snakes

1. Proposals

Planning permission is sought to demolish the existing dwelling on the site and to construct three detached houses with basements and rooms in the roof. The three dwellings have a similar internal layout and characteristics but have different designs with different materials and different dormers, gables and detailing.

2. Policy Context

National Planning Policy Framework (NPPF)
Planning Practice Guidance (NPPG)
CP1 - General Development Criteria
H17 - Dormer Windows
T2 - New development and highway considerations
C5 - Retention and provision of landscaping and natural features in development

3. Relevant History

- 15/00951/FUL: Demolition of existing house and construction of three new dwellings. -Application Refused
- 13/01101/FUL: Demolition of existing 6 bedroomed dwelling and redevelopment of the site to create four detached dwellings -Application Refused

4. Neighbour Responses

20 neighbour letters were sent out and a site notice displayed.

10 letters of objection has been received to date which make the following summarised comments:

- Concerns about construction traffic - the road is too narrow and not suitable for this kind of traffic and suffers from on-street parking. Road is maintained by residents and concerns are raised regarding damage to the road and increases in traffic and congestion. Highway safety concerns, such as refuse lorries reversing down the road. Poor access. Brockley Grove is dangerous and inadequate with no pavements, blind bends and is a rat run. Driveways are not passing places (trespassing). Concerned about emergency services not being able to access The Glade. Will increase danger and accidents. Existing poor sight lines. Concerned about impact on tree stump at end of the road.
- Basements would require deep piling which is very noisy.
- Will result in noise disturbance and air pollution.
- Back-to-back distances not met.
- Loss of privacy and overlooking.
- Loss of sunlight and natural light.
- Will cause light pollution.
- Garages and houses located too close to boundaries.
- Loss of views and dominates views and outlooks.
- Overbearing, overpowering, dominant, intrusive and imposing.
- Harms residential amenity.
- Not in-keeping with area. Unattractive and visually unacceptable. Crammed into the site. Concerned about the height of the proposed dwellings. Concerns about mass, bulk and similar designs of the dwellings which is out of keeping. There are no three storey houses here. Front dormer windows are not acceptable to Hutton Mount Ltd. Concerned about the width of the frontages of the new dwellings and the plot sizes. Dominated by cars and hard-standings. Detracts from the distinctive character of the area. Large and incongruous feature in rear garden of Dunelm. Unsightly roofs.
- Overdevelopment of the site.
- Loss of trees. Trees already felled on site.
- Previous refused application on site. Planning Committee made it clear that 3 properties were not acceptable on the site. Few changes from the previous application.

- High density.
- Is garden grabbing.
- Developer profits and loss of property values.
- Does not address need for affordable housing. Is no shortage of large expensive houses in the area.
- Screening is not adequate to mitigate the development and not shown accurately on the plans.
- Drainage concerns; surface water drainage concerns and problems with electric, water, power and sewerage services.
- Damage to properties and Party Wall Agreement needed.
- Concerned about impact on wildlife and protected species - birds, foxes, bats, badgers, squirrels, hedgehogs, grass snakes great crested newts and reptiles.
- Will harm the community.
- Have not consulted neighbours.
- Inaccurate information submitted. Requests made for further or revised information.
- Hours of working should be restricted.

5. Consultation Responses

- **Highway Authority:**

Although The Glade is narrow in places, the Highway Authority would not wish to raise an objection to the above application, subject to conditions being attached to any approval, given the scale of the development and the likely limited increase in vehicle flow as a result of the development, the existence and current use of the road, the access to each existing dwelling, which act as informal passing bays, the proposed size 3 turning bay, which would assist fire tenders, refuse and other large service vehicles to enter and leave The Glade in forward gear, and the area to be available for parking and turning vehicles within the site which would comply with Brentwood Borough Council's adopted parking standards for the proposed dwellings.

1. Construction Method Statement to be submitted.
2. Details of the access road to be submitted and approved.
3. The vehicle parking area to be constructed in accordance with details and retained in the agreed form, and not used for any purpose other than the parking of vehicles that are related to the use of the development.

- **Arboriculturalist:**

The report and TPP are acceptable.

- **Design Officer:**

Current submission:

The site is located within the residential area of Hutton Mount, the existing plot accommodates a single detached dwelling in a mature landscape context. As with the previously refused application this current submission proposes 3 detached dwellings with ancillary single storey garages. Access remains to be served by a single access with detached garages set adjacent to the host properties (refer to DRWG SK7 REV F).

In terms of evident design revisions, I advise the layout has improved from the previous scheme (see drawing SK11 Rev C) and relates more appropriately to the immediate urban grain. In particular the relationship between Plot 1 and 2 is improved; this has been facilitated by the pivoting of Plot 2 thus providing improved punctuation between the proposed buildings.

In terms of the plan forms, these remain substantial footprints with the proposed developed area not too dissimilar to the originally refused application, I note the garages are now reduced and the re-siting of the ancillary form for Plot 1, along with the reduction from a triple to a double garage is an improvement. The table top roof applied to disguise the impact of massing remains and is not typical of the architectural styles proposed in their true vernacular.

In terms of the elevational treatment and the architectural narrative selected, I advise the mix of differing periods of Tudor and Arts and Crafts remains, it is apparent the designs have been refined e.g. Plot 1 which previously had the triple gabled frontage is now proposed the a principal hipped gable with dormer insertion; flatted dormers are proposed to be inserted into the roofscape, these are improvements. Plot 2 is elevated with two gables at the principal frontage and there are marginal reductions in massing overall, again incremental improvements.

The most significant aspect in respect of design is the improvement in layout and refinement of design detail. I maintain the overall plot would be better served by two carefully design dwellings which retain a good spatial quality within a landscaped setting however the urban grain is not highly disrupted by these proposals for three dwellings with this revised layout.

Should planning be permitted I advise Conditions are applied in respect of the external materials, fenestration and landscaping, boundaries should be retained as soft with no close boarded fencing dividing the curtilages.

- **Essex Badger Protection Group:**

Due to there being badgers living locally to this application I would recommend that the site is surveyed before the application is approved. if any setts were found then probably a licence would be needed to either work near the sett or to close the sett down.

6. Summary of Issues

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise: the Brentwood Replacement Local Plan 2005. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are material consideration in planning decisions.

The application site is located at the south-eastern end of The Glade which is a cul-de-sac accessed off Brockley Grove located to the west. The site is located within Hutton Mount and currently accommodates a substantial dwelling house and associated outbuildings. Hutton Mount is characterised by low density development consisting of large detached houses generally set within large, landscaped plots. The Glade currently provides access to 11 properties.

The main issues which require consideration as part of the determination of this application are the principle of the development, sustainability, the impact of the proposal on the character and appearance of the area, the impact of the proposal on the amenity of the occupiers of neighbouring residents, living conditions, highways/parking issues and trees, landscaping and ecology:

History

Planning permission was previously refused for the demolition of the existing dwelling and the construction of 4 detached dwellings on the site ref. 13/01101/FUL by the Council at Planning Committee for the following reasons:

1. The proposed development as a result of the number, size, design, height and layout of the dwellings, would materially harm the character and appearance of the area which is within the larger designated area of Hutton Mount that is recognised within the Local Plan as having a special character that arises from the individual design of dwellings and the spaces between and around them. The proposal would therefore conflict with the objectives the National Planning Policy Framework (section 7) and those of Policy CP1(Criteria (i) and (iii)) and Policy H15 of the Brentwood Replacement Local Plan that seeks to ensure that new development is of a high quality design that reinforces local distinctiveness; specifically, in this case, to Hutton Mount.

2. The Glade is a narrow, private access way without street-lighting or footpaths and with poor visibility at its junction with Brockley Grove. The proposed development would result in a material increase in the use of the full length of this access way by vehicular traffic which would be detrimental to the safety of all users of The Glade, contrary to Policy T2 and Policy CP1 (criteria iv and v) of the Brentwood Replacement Local Plan.

An appeal against this refusal was dismissed (ref. APP/H1515/A/14/2215515). This is a material consideration in the determination of the current application. In that decision, the Inspector comments that the majority of the properties are well screened by mature trees and other planting on the front boundary and so landscaping dominates the built form. The houses are mainly large detached properties in large plots. They are of individual styles, but many share similar design features and materials. They are set well back from the road and most benefit from large rear gardens...while I do not find the space between the buildings to be particularly noteworthy (for many fill much of the width of their plots), the area does have a spacious character overall...I consider its character to be distinctive and worthy of retention. The character and appearance of The Glade, which is a narrow cul-de-sac, broadly reflects that of the wider Hutton Mount area.

In terms of the design, the Inspector comments that she finds nothing objectionable about the appearance of the dwellings and is not unduly concerned about the fact that two of the properties would be identical given the similarities between the existing properties in Hutton Mount. The mature planting on the boundary in front of Silver Trees would provide some screening of the dwelling proposed on Plot 1, but the other buildings and their parking areas would be visible from the existing stretch of The Glade. Thus they would become an integral part of the streetscene. The proposed dwellings would be set within reasonably sized plots...the spaces between the dwellings and their side boundaries...would not be dissimilar to the gaps observed elsewhere. However, by the proposed layout, the frontages of the dwellings on Plots 1-3 would overlap when viewed from the entrance to the site and no visual gaps would be perceived between them. This would give rise to a cramped appearance which would be accentuated by the three storey height and substantial depths of the dwellings. The plots 1-3 would be sited in close proximity to the new stretch of carriageway and Plots 2 and 3 would have large and relatively open areas of hard standings on the frontage. Thus the built form would be prominent in the streetscene and this would be at odds with the generally more spacious and landscaped character of Hutton Mount. The dwelling at Plot 4 would appear as a large and incongruous feature in the rear garden environment of Dunelm, particularly given the otherwise green and spacious context. I conclude that the development would be significantly harmful to the character and appearance of the area.

In terms of highway safety, the Inspector comments that whilst visibility to the north of the junction (junction of The Glade and Brockley Grove) is impaired for drivers leaving The Glade, road users would not be put at unacceptable risk by vehicles edging out into the carriageway. The Glade is not wide enough to accommodate two-way traffic and there are no formal passing bays, however, it is possible to pull into a number of driveway accesses to wait and so it is not essential for drivers travelling east to reverse back into Brockley Grove...therefore the risk of vehicles backing out onto Brockley Grove would not increase significantly because vehicles leaving the appeal site could not see the junction. While the carriageway is not wide enough for refuse lorries or fire engines to turn and leave in a forward gear, the addition of three properties would not make their visits significantly more frequent. Moreover, a turning area, which could be used by such vehicles, would be created within the appeal site and this would be a benefit of the scheme. I do not consider that the traffic which would be generated by the three (net) additional dwellings proposed would present a significant risk to either drivers or pedestrians...the appeal scheme would not be detrimental to highway safety.

Following this appeal decision, a subsequent planning application was submitted for the construction of three dwellings on this site (ref. 15/00951/FUL) which was also refused for the following reason:

1. The proposed layout of the dwellings would result in a cramped form of development which would be incongruous within the spacious character of the Hutton Mount area and would fail to reinforce the distinctiveness of the area, contrary to Chapter 7 of the National Planning Policy Framework (NPPF) and Policies CP1(i), CP1(iii) and H15 of the Brentwood Replacement Local Plan 2005.

This is also a material consideration in the determination of the application.

The principle of the development

The application site is located within a residential area and as such the principle of the development is acceptable, subject to other considerations such as design and residential amenity considerations.

Whilst it is noted that Paragraph 53 of the NPPF states that Local Planning Authorities (LPAs) should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area, Brentwood Borough Council currently has no such Policies in the 2005 replacement Local Plan.

Sustainability

Most trips would be car based, although the site is located relatively close to Shenfield Town Centre which benefits from a number of shops and services and good public transport links.

Design and Character and Appearance of the area

The Council's Design Officer has commented that the layout has improved from the previous scheme and relates more appropriately to the immediate urban grain. The relationship between plots 1 and 2 has improved. The proposed dwellings have substantial footprints, however, the garages have been reduced in size and the siting of the garages is improved.

Concerns about the design of the table top roofs remain, however, it is recognised that the designs have been refined and the layout has been improved. The urban grain is not highly disrupted by this proposal for three dwellings with this layout. Conditions requiring materials, fenestration, landscaping and boundaries are recommended.

The dwellings proposed are of a similar footprint but have different styles and some features and materials that match the existing dwellings in the area, such as front gables and mock-Tudor boarding. Given the Inspector's comments on the previously refused scheme, it is not considered that the overall design and the table top design of the roofs are acceptable.

The proposed site plan indicates that the houses would be screened by planting and vegetation more so than the previously refused scheme, which is an improvement, although the houses would still be visible from The Glade and would therefore still be integral to the streetscene.

In comparison to the previously refused scheme, this layout has pivoted the dwellings, resulting in clear gaps being visible between the dwellings and as such the development would not appear cramped and would not be out of keeping with the distinctive, spacious character and appearance of the area.

The previous concerns about the close proximity of Plots 1-3 to the new carriageway and concerns about the large, open areas of hard standings at Plots 2-3, has also been addressed: the positioning of the hard standings has been altered with the parking and main areas of hard standings now located to the side of the dwellings rather than directly in front of the dwellings, which is in keeping with the established character of the area.

Whilst the neighbour concerns with regard to design and the character of the area are noted, overall, it is considered that the proposal has overcome this previous reason for refusal and subject to conditions relating to materials, landscaping, boundaries and fenestration the proposal would not result in any material harm to the character or appearance of the area and would not appear incongruous or out of keeping in the area.

Neighbours have also raised an objection about the inclusion of front dormers but private covenants are not a material planning consideration.

The frontages and sizes of the plots are acceptable and would not be out of keeping in the area. The dwelling at plot 3 would be near to the boundary of the rear garden of Dunelm, soft landscape screening could be provided on this boundary and it is not considered that this would be so harmful that a reason for refusal on this basis alone could be fully justified or sustained at appeal. No objection is therefore raised in terms of Chapter 7 of the NPPF or Policies CP1(i), CP1(iii) or H15 of the Local Plan.

Residential Amenity

In terms of dominance and an overbearing impact, the proposed new dwellings are significantly removed from the adjoining residents, with the new dwellings located a minimum of some 13.8m from the nearest dwelling.

The proposed detached carports/garages are located closer to the boundaries of the site and closer to the existing dwellings than the dwellings proposed. The detached double carport at Plot 1 has a height of some 5.2m and is located very close to the boundary with Silver Trees and some 6.8m from the dwelling at Silver Trees. However, there are existing outbuildings in a similar location to this and given the design and size of the carport; it is not considered that this part of the proposal would result in any material dominance or overbearing effect. The carports to Plot 2 and 3 are removed from the boundaries of the site; located a minimum of 5.8m from the boundaries of the site and would also not therefore result in any undue dominance or an overbearing impact.

It is therefore considered that the proposal would not result in any material dominance, overbearing impact or loss of light or outlook to the adjoining residents.

Some neighbours have commented that this development would result in loss of views and will dominate the outlook from adjoining properties, but the loss of a view is not a material planning consideration. In terms of loss of an outlook, this is considered in the context of overbearing or a dominant effect.

In terms of overlooking and loss of privacy, the guidance contained in the appendices of the Local Plan indicate that where the rear faces of new houses are approximately parallel to existing houses the new houses shall not be located closer than 15m from the rear boundary. An eye-to-eye distance of at least 35m is advocated where a living room is overlooked from an opposing dwelling, but this may be reduced where privacy can be achieved through design. However, the Essex Design Guide states that with rear/flank facing habitable rooms, the rear faces of opposite, approximately parallel houses; a minimum of 25m between the backs of houses may be acceptable. It should however be noted that this is only guidance.

In this regard, each new dwelling will now be considered individually:

Plot 1's front windows would be located a minimum of some 20m from the boundary with Dunelm and is orientated such that it would face the front and side of the dwelling at Dunelm. The main rear windows at Plot 1 would be located some 17m from the rear of the site and would be significantly removed from the dwelling to the east. The single storey rear projection would be located some 13.5m from this boundary, but this single storey element would be significantly screened by standard boundary treatments/vegetation on this boundary. The first floor side windows proposed serve a walk-in-wardrobe, en-suites and secondary bedroom windows and as such can be conditioned to be obscure glazed with limited openings to prevent any undue overlooking. The roof lights proposed are located on the flat roof and would not therefore result in any overlooking. Subject to a condition restricting the flank windows, given the isolation spaces provided it is not considered that Plot 1 would result in any significant or demonstrable overlooking or loss of privacy to the adjoining residents.

Plot 2's front windows would be located in excess of some 28m from the boundary with Dunelm (at an oblique angle) and as such would not result in any undue overlooking or loss of privacy. The main first floor rear windows would be located more than 20m from the rear boundary. The first floor rear windows would also be located a minimum of some 24.8m from the rear wall of No.4 Luppit Close. The first floor side windows can be conditioned to be obscure glazed in the same way as Plot 1 to prevent overlooking or loss of privacy in this regard. The roof lights proposed given their position, height and nature would not result in any undue overlooking or loss of privacy.

Plot 3's front windows would be located over 42m from the front of the site which is acceptable, whilst there may be a degree of oblique overlooking from these front windows to Dunelm, the new dwelling at Plot 3 would be located some 17m from Dunelm and given the orientation and location of the plot any overlooking would be oblique and would not therefore result in any material harm in this regard. The rear windows would be located a minimum of some 20m from the rear boundary of the site with the first floor rear windows located in excess of 23m from the rear boundary and around 30m from the dwelling at No.5 Luppit Close. The first floor side windows can be conditioned in the same way as plots 1 and 2 to prevent any undue overlooking in this regard. The roof lights given their position, height and nature would not result in any material overlooking or loss of privacy.

Subject to a condition requiring the first floor side windows to be obscure glazed with limited openings it is considered that the proposal would not result in any undue overlooking or loss of privacy.

Whilst some neighbours have raised concerns regarding the location of the dwellings and the back-to-back distances proposed and have concerns in relation to loss of privacy and loss of sunlight, given the above, and subject to the above restriction on the flank windows, it is considered that the proposal would not result in any material harm to the adjoining residents in this regard.

In terms of noise and disturbance, whilst this proposal would result in parking, access and turning facilities being adjacent to the dwellings and gardens, given the location of these element and the limited scale of the proposal, it is not considered that this would result in any material noise and disturbance to the adjoining residents and no objection is therefore raised on this basis. Neighbour concerns have been raised with regard to noise and disturbance during the construction of the dwellings, however, this would be temporary situation and a condition can be imposed on any grant of consent, requiring a construction method statement to be submitted to and approved in writing prior to the commencement of the development.

Whilst some neighbours have raised concerns in relation to air pollution, given the nature and scale of the proposal it is not considered that the development would result in any material air pollution to adjoining residents. In terms of light pollution, given the existing use of the site, the existing dwelling on the site and the residential area in which the site is located, it is not considered that the proposal would result in any material harm in terms of light pollution.

Subject to conditions no objection is therefore raised in terms of Policy CP1(ii) of the Local Plan or the fourth bullet point of Paragraph 17 of the NPPF.

Living Conditions

The dwellings proposed would all be provided with adequate living conditions with each dwelling having an adequately sized private garden area and parking facilities.

Parking and Highway Considerations

The Highway Authority has raised no objections to the proposal, subject to conditions.

The development would provide adequate parking facilities and would not result in any material harm to highway safety. No objection is therefore raised on this basis, subject to the conditions recommended by the Highway Authority.

Tree, Landscaping and Ecology

In terms of trees, an Arboricultural Report has been submitted with this application which comments that the trees on the site appear to be generally in a healthy condition with no signs of pests or diseases, apart from G1 which is dead and therefore needs to be felled. To implement this proposal, trees T12-18 and T20 will need to be removed to allow for the construction of the drive/turn. T11 will also be removed as it is unlikely to develop under the canopy of the better quality tree: T9. All of these trees are category C trees; low category trees which could be retained, with the exception of T9 which is a category B tree; a moderate tree which is desirable.

The Tree Report also recommends works to two additional trees to aid the development; T27 and T29 which are B category trees; moderate quality trees, but comments that these works will not have any detrimental impact on the amenity of these trees. The report also recommends tree protection measures to protect the other trees on the site.

The Tree Officer has commented that the tree information submitted is acceptable. As such, subject to a condition requiring the works to be undertaken in accordance with the tree report submitted no objection is raised in terms of Chapter 11 of the NPPF or Policy C5 of the Local Plan.

Given the scale of the proposal and the established verdant nature of the area, with the majority of surrounding properties well screened by mature trees, other planting on the front boundary and landscaping dominating the built form, it is necessary to impose a condition on any grant of consent, requiring a full landscaping scheme to be submitted prior to the commencement of the development. The plans submitted indicates that there will be substantial planting to the front of the dwellings, however, full details are required by way of condition.

A biodiversity assessment has been submitted with this application which comments that no evidence of protected species were noted in the vicinity of the proposed works and the proposal is not considered to be a significant risk to biodiversity within the locality. Given this and given the previous findings in relation to the previous applications and given that planning permission would not override the developer's duties under other Legislation including the Wildlife Acts, no objection is raised on this basis in terms of Chapter 11 of the NPPF and Policy C3 of the Local Plan.

Other Matters

The majority of the neighbour comments have already been considered including the design and impact on the character and appearance of the area, impact on trees, residential amenity, parking and highway considerations and the impact on wildlife. In response to the other matters raised;

- A number of matters raised are not material planning considerations, including any commercial benefits to the developer, property values, that there are other unsold properties in the area, the upgrading of services such as gas, water and electric and the need or otherwise for Party Wall Agreements.
- Any damage to the road or other private property and any requirements for the new occupiers to pay for the maintenance of The Glade would be a civil matter to be resolved privately between the relevant parties.
- The capacity of the existing drainage system would be a matter to be dealt with by statutory undertakers.
- The Arboricultural Officer raised no objection to the proposal. The trees on this site are not protected by a TPO and the Tree Officer did not recommend that the remaining trees should be subject to a TPO.
- It would not be possible to impose planning conditions preventing parking on The Glade, however, a construction method statement condition is recommended.
- Working hours are controlled by separate legislation and would be dealt with by the Council's Environmental Health Team.
- Comments that a development of 2 houses would be more in-keeping and that Planning Committee previously said 3 houses would not be acceptable are not valid reasons to refuse a planning application and the Council cannot insist that the proposal is reduced to 2 dwellings; the application as submitted must be determined on its own merits.
- There is no statutory requirement for the developer to consult with the neighbours on such a development.
- No further information is needed to determine this application.

Conclusion

Subject to conditions, the proposal complies with National and Local Planning Policy. The revised scheme has overcome the previous concerns raised and the proposal is therefore recommended for approval.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 DRA02A Development in accordance with drawings

Unless formally permitted by the local planning authority the development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

3 U12513

No development above ground level shall take place until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers.

4 BOU09 No walls or fences - except as approved

Notwithstanding the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), and with the exception of those approved as part of this permission, no walls, fences or other means of enclosure shall be erected within the application site.

Reason: In the interests of safeguarding the character and appearance of the area.

5 U12514

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity. This issue is fundamental to the development permitted and in the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refused planning permission.

6 U12515

No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason: In order to safeguard and enhance the character and appearance of the area. This issue is fundamental to the development permitted and in the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refused planning permission.

7 U12516

No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

8 U12517

Prior to the installation of any doors or windows, additional drawings that show details of proposed windows and doors to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in strict accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

9 U12518

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no additional hardstandings shall be constructed without the prior grant of specific planning permission by the local planning authority.

Reason: In order to safeguard the character and appearance of the area.

10 U12519

Details of existing and proposed site levels and the finished floor levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents. This issue is fundamental to the development permitted and in the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refused planning permission.

11 U12520

The first floor side windows shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed prior to the first occupation of the building or use of the room of which the window(s) is installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

12 U12521

All tree works are to be undertaken in accordance with the approved arboricultural reports and plans approved as part of this application.

Reason: To safeguard the character and appearance of the area.

13 U12522

The development shall not be occupied until the access road and vehicle turning area have been constructed in accordance with the approved details. The access road and vehicle turning area shall be retained in this form at all times.

Reason: To provide appropriate access in the interests of highway safety.

14 U12523

The development shall not be occupied until the vehicle parking area in each plot has been constructed in accordance with the approved details. The vehicle parking areas shall be retained in this form at all times. The vehicle parking areas shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To provide appropriate vehicle parking in the interest of highway safety.

Informative(s)

1 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H17, T2, C5, C3 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF21

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 U02935

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood CM13 3HD.

BACKGROUND DOCUMENTS

DECIDED: