

# Public Document Pack



## Agenda Supplement

Dear Councillor

### PLANNING AND LICENSING COMMITTEE - MONDAY, 8TH MARCH, 2021

I am now able to enclose, for consideration at next Monday, 8th March, 2021 meeting of the Planning and Licensing Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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- |    |  |
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| 7. | <b><u>APPLICATION NO 20/01631/BBC Garages Opposite 26 Hampden Crescent Warley Essex, Demolish existing block of 9 garages and resurface the area in preparation for the enlargement of the Tesco car park (Pages 3 - 14)</u></b> |
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Report of FIELD\_AUTHOR

Yours sincerely

Jonathan Stephenson  
Chief Executive

Encs



<b>SITE PLAN ATTACHED</b>
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## **GARAGES OPPOSITE 26 HAMPDEN CRESCENT WARLEY ESSEX**

**DEMOLISH EXISTING BLOCK OF 9 GARAGES AND RESURFACE THE AREA IN PREPARATION FOR THE ENLARGEMENT OF THE TESCO CAR PARK**

**APPLICATION NO: 20/01631/BBC**

<b>WARD</b>	Warley	<b>8/13 WEEK DATE</b>	25 January 2021
<b>PARISH</b>		<b>POLICIES</b>	
<b>CASE OFFICER</b>	Ms Tessa Outram	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	T/AJT/4563; T/AJT/4557A;		

This application is referred to committee as the applicant is Brentwood Borough Council.

### **1. Proposals**

Planning permission is sought for the demolition of nine redundant garages to the west of Hampden Crescent and for the resurfacing of the area in preparation for a future enlargement of Tesco Car Park.

The description of the development has been altered during the lifetime of the application, this application now only seeks to demolish the garages and resurface the area. Any alterations or enlargements to the existing car park and parking provision at Tesco would be subject to a separate application for planning permission.

The proposed development makes no alteration to the existing pedestrian walkway, shown crosshatched in blue and a fence would be installed along the (west) boundary with the existing Tesco Car Park to ensure a vehicular cut-through is not created prior to any future applications that may seek to extend the existing car park.

The main considerations in the determination of the application are the impact on the character and appearance of the area, the impact on neighbouring residents, impact on trees and highway and parking considerations.

## **2. Policy Context**

Brentwood Replacement Local Plan 2005

Policy CP1 General Development Criteria

Policy T2 New Development and Highway Considerations

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019 with a further focused consultation, following revisions to the detailed wording of some of the proposed housing allocations, later in the year. The plan was submitted to the Planning Inspectorate in February 2020. The Examination in Public hearing sessions opened in December 2020, concentrating on strategic matters, with hearings on more detailed matter held at the beginning of February 2021, as set out in draft timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is projected that it could be adopted by the Council later in 2021.

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. While submission of the Local Plan is a further step in progress towards adoption, as the plan has yet to complete its progress through an Examination in Public it is still considered that it currently has limited weight in the decision making process.

National Policy

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

### 3. Relevant History

- : - None

### 4. Neighbour Responses

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

Three representation letters were received, one objecting to the proposed development. The issues raised in the representation letters include:

- Clarification of existing footpath
- Clarification of vehicle access from car park to Hampden Crescent
- Loss of parking from removal of garages
- Maintenance and protection of trees
- Disruption through construction/demolition process
- Pollution and noise from more cars using car park

### 5. Consultation Responses

- **Arboriculturalist:** The proposal is to remove existing garages to the rear of the Tesco Metro store to provide new parking bays. There is a walkway linking Warley Hill to Hampden Crescent which runs along the northern boundary of this site. It is understood that the application would retain this walkway.

There is a line of mature trees beyond the northern boundary, some of which overhang the walkway. It should be possible to create the parking bays without adversely affecting these trees. If it is considered necessary to undertake any works to the trees, such as crown lifting, an arboricultural method statement would be required.

There is no objection to the scheme in principle although a condition might be required if it is considered necessary to work on adjacent trees.

- **Great Warley Conservation Society:** No comments received at the time of writing this report.
- **Highway Authority:** A site visit has been previously undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority. The Public Right of Way records have

been examined and the footpath adjacent to the site that connects Hampden Crescent and Warley Hill does not appear on the Definitive Map. It is however a local footpath that is likely managed by Brentwood Borough Council. The demolition of the garages is acceptable to the Highway Authority, therefore from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following condition: As shown in principle on the block plan T/AJT/4557A Rev A, the boundary with the current Tesco car park/servicing area shall be fenced off to prevent through vehicle access. Reason: In the interests of highway safety in accordance with policy DM1.

The above condition is to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- **Environmental Health & Enforcement Manager:** I refer to your memo in connection with the above-mentioned application and would make the following comments.

Following my previous consultation response, it is understood the description of the development has changed and permission is now only sought for the demolition and resurfacing of the area. On this basis there are no objections.

Any future application to change use of the land to form an extension to the existing Tesco Express store on Warley Hill should refer to my previous comments.

- **Parish Council:** No comments received at the time of writing this report.

## 6. Summary of Issues

### Design, Character and Appearance

The proposal would result in the demolition of a number of dated, single storey prefabricated garages, a majority of which are redundant and unused. Following demolition, the area would be resurfaced to match existing. The garages are located on the western side of Hampden Crescent in what is an unlit area between Tesco Express and the rear of No.26 and 27 Hampden Crescent. The garages are visible from the Council owned pedestrian pathway to the north of the site that links Warley Hill and Hampden Crescent, which experiences frequent footfall. The garages in their current form do not enhance the quality and character of the surrounding area and there is no objection to their demolition on design grounds. The proposal would accord with local policy CP1 and chapter 12 of the NPPF.

### Impact on Neighbour Amenities

The proposed site plan submitted does not include the recently permitted dwelling to the rear of No. 27 Hampden Crescent that replaces a former outbuilding on the site. The new dwelling at the time of the site visit was substantially complete and is noted as part of the assessment of this application.

The demolition works would result in some temporary disturbance and noise but can be controlled via condition and informatives. In addition, matters relating to health and safety would be dealt with at building control stage under other legislation. Some of the garages act as a barrier between the Tesco site and Hampden Crescent which will become open following their removal. The drawing submitted demonstrates a 1.8m close boarded timber fence would be erected following the demolition of the garages to ensure there would be no unauthorised cut through (by both pedestrians and vehicles), from Tesco car park onto Hampden Crescent. This is considered necessary prior to any formal application for the enlargement of Tesco Car Park that may come forward in the future, where the implications of such an extension would be formally assessed against local and national planning policy.

It is not anticipated that the removal of the garages and resurfacing of the area would amount to any other impacts on the living conditions of neighbouring residents. The proposal would therefore accord with local policy CP1 (ii) and paragraph 127(f) of the NPPF, subject to conditions.

#### Trees

The Councils Arboriculturalist has advised that the proposed development could be achieved without resulting in harm to the adjacent trees. However, if any works to trees including crown lifts are required as a result of the demolition or resurfacing process, an arboricultural method statement must be submitted to and approved by the local authority, to ensure the existing trees are adequately protected.

#### Parking and Highway Considerations

As outlined above, the proposal has been amended during the application timeframe removing the proposed parking bays. Any amendment or enlargement to Tesco Car Park will be subject to a separate application for planning permission. Following this amendment, the Highway Authority has raised no objection to the development proposed on parking or highway safety grounds.

A neighbour objection has been received in regard to the loss of the garages and restricted parking in the area. The applicant has advised that two of the garages were rented out, but this has now ceased. The garages as existing are substandard and not suited to the size of modern-day vehicles and would not meet size requirements of the adopted parking standards to be used as parking spaces. As a result, the garages could not be satisfactorily used for parking of vehicles and renting of the garages would predominately be for storage purposes. The proposed

development would therefore not amount to a loss of parking provision in the area and would accord with local policy CP1 (iv) and T2 of the local plan.

## Conclusion

The proposal development is compliant with local and national planning policy and is recommend for approval subject to the conditions outlined below.

## 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 DRA01A Development in accordance with drawings

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 Working Hours

Any heavy plant, noisy equipment or operations and deliveries associated with the demolition and resurfacing works, should not take place outside the hours of;

Monday-Friday.....08.00-18.00

Saturday.....08.00-13.00.

No noisy activities on Sundays or Bank Holidays.

Particularly noisy equipment such as Pile Drivers/Angle Cutters/Pneumatic Drills/Cement Mixers etc. should be used approximately one hour after the beginning hours mentioned above and one hour before the said end times.

Reason: To safeguard the residential amenity of neighbouring occupiers.

### 4 Tree Protection

In the event that a crown lift or any works to adjacent trees is required to facilitate the development hereby approved, all works including demolition shall cease until an arboricultural method statement has been submitted to and approved in writing



by the local planning authority. The works shall commence/re-commence strictly in accordance with the approved method statement.

Reason: In order to protect trees in the interests of visual amenity.

#### 5 Boundary Fence

As shown in principle on the block plan T/AJT/4557A, the boundary with the current Tesco car park/servicing area shall be fenced off with a 1.8 Close Boarded Fence to prevent through vehicle and pedestrian access.

Reason: In the interests of highway safety and amenity.

### Informative(s)

#### 1 INF01

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

#### 2 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.

#### 3 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, T2, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

#### 4 INF22

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

#### 5 Asbestos

Any existing buildings on site should be assessed for asbestos materials prior to demolition. Any asbestos must be removed in full consultation with the Health & Safety Executive.

#### 6 Noise Attenuation

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.  
Any radio noise should not be audible at the boundary of the nearest neighbouring property.

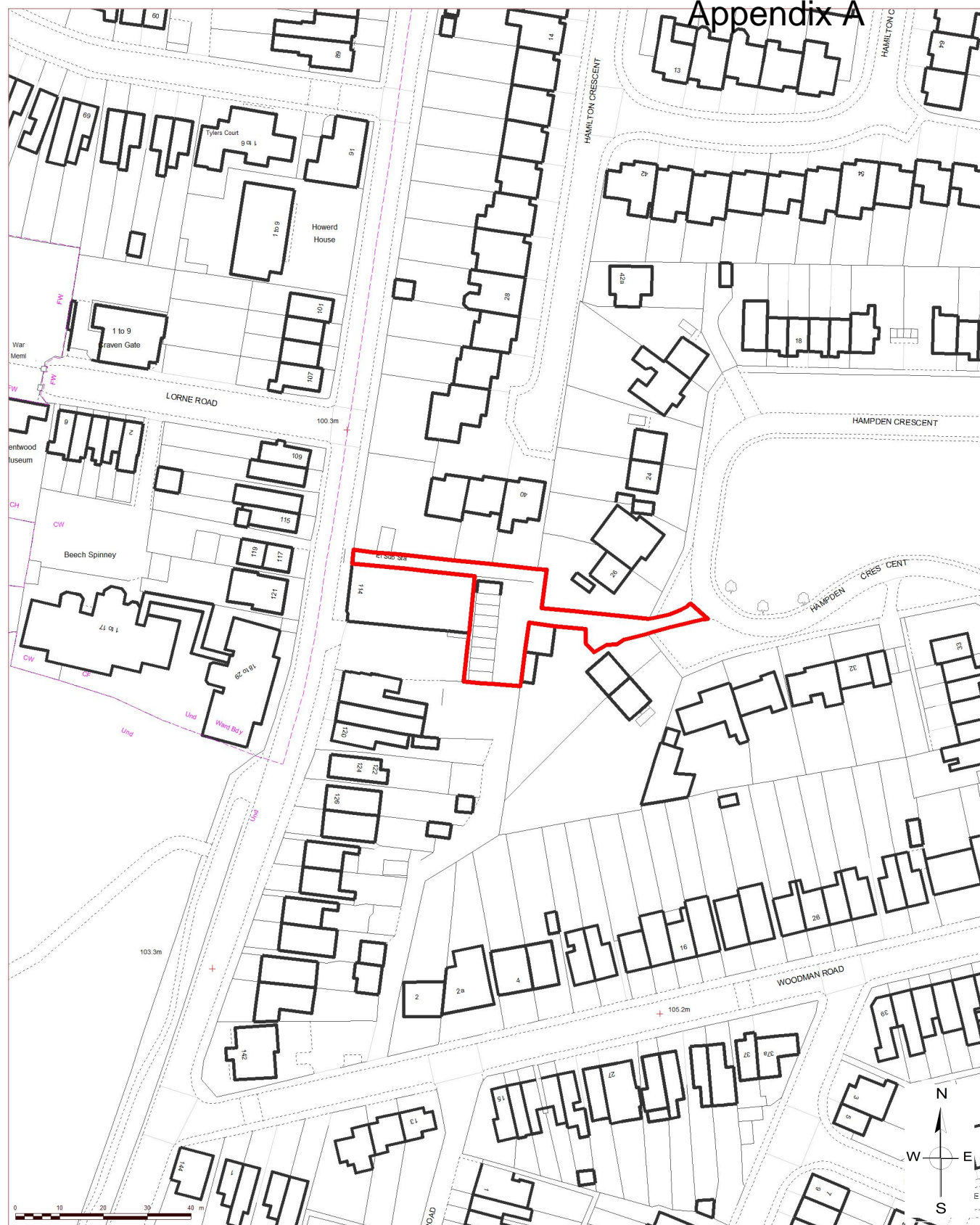
#### *BACKGROUND DOCUMENTS*

#### **DECIDED:**



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# Appendix A



Title : Garages Opposite 26 Hampden Crescent, Warley, Brentwood, Essex

20/01631/BBC

Scale at A4 : 1:1250

Date : 08th March 2021

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