

SITE PLAN ATTACHED

**SAWYERS CHURCH SAWYERS HALL LANE BRENTWOOD ESSEX CM15
9BN**

**DEMOLITION OF EXISTING CHURCH BUILDING AND CONSTRUCTION OF
NEW CHURCH BUILDING**

APPLICATION NO: 17/01499/FUL

WARD	Brentwood North	8/13 WEEK DATE	21.12.2017
PARISH			
CASE OFFICER	Mrs Charlotte White	01277 312500	
Drawing no(s) relevant to this decision:	A/02 ; A/04/B Proposed; A/05 Level 1 Proposed; A/06 Level 2 Proposed; A/07 Level 3 Proposed; A/08 Proposed; A/09 Proposed East; A/10 Proposed North; A/11 Proposed South West; A/12 Proposed North West; A/13/A Proposed NE Streetscape; A/14/A Proposed Sections; A/15/A Proposed Sections; Transport Assessment and Travel Plan ; Noise Impact Assessment REV A; COVERING LETTER ; A/01A; A/16/B; Community Projects Statement; Design and Access Statement 2017		

1. Proposals

This application seeks permission for the demolition of an existing church building and to and replace it with a new, larger church building incorporating community facilities.

The replacement church building has been designed with part single, part two, and part three storey elements and has a curved roof design. The proposed building has a maximum height of 13.9m. The new building would include a main auditorium, community facilities, cafe/restaurant, seminar rooms, youth rooms and offices.

The application is accompanied by a Design and Access Statement, a Transport Assessment and Travel Plan and a Noise Impact Assessment.

The ground floor includes an auditorium (with associated wash rooms, dressing rooms and store), reception, a cafe space, kitchen, server, crèche and WCs.

The first floor includes 3 seminar rooms and youth room, a small kitchen, store rooms, a breakout space and WCs.

The second floor provides an additional seminar room as well as the church's offices and administration facilities.

The materials proposed for the walls include sections of red brick, timber cladding and render. The roof will be covered in single ply membrane with welded on standing seams on an insulated panel. Windows are to be double glazed and framed in grey powder coated aluminium. Doors are to be either double glazed and framed in grey powder coated aluminium or grey painted timber.

2. Policy Context

Local Plan Policies:

CP1 – General Development Criteria

CP2 – New Development and Sustainable Transport Choices

T2 – New Development and Highway Considerations

LT8 – Use of Redundant Institutional, Recreational and Community Buildings

LT10 – Changes of Use of New Buildings for Institutional Purposes

C14 – Development Affecting Conservation Areas

PC4 - Noise

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

3. Relevant History

- 13/00500/FUL – Demolition of existing church and construction of new Church building – Refused – allowed at appeal.

4. Neighbour Responses

Detailed below is a summary of the consultation responses. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

- Noise: from construction, vehicles parking and deliveries, etc. activities from the 500 person auditorium e.g. singing, and noise as people leave the site especially if rented out late into the night; internal and external noise. Noise from air conditioning or opening windows. Noise from kitchen extractor, bin store and lift. Noise from creche and its outdoor space.
- Smells from cooking extractor. Concerns relating to location of bins to Homehurst House causing smells and vermin.
- Traffic and highways; concerns about transport assessment – inadequate parking facilities will lead to on street parking issues

- Residential amenity concerns including loss of sunlight, overshadowing overbearing and overlooking .
- Adversely impact structure of Homehurst House.
- Loss of visual amenity.
- Dominant, scale is too large – already overbuilt and heavily populated area. If approved conditions should restrict use to church activities only and no later than 10pm.
- Loss of mature trees and insufficient replacement landscaping and loss of habitat.
- Land ownership queries.

Representations in support have been received which can be summarised as follows:

- Work of the church benefits local families and community and offers a diverse service.
- Existing building is in disrepair and a new facility fit for purpose is needed.
- Building is too small an will allow activities to grow with better facilities
- Leads on Street Pastors and looking to be a Christians Against Poverty centre.
- Partners with charity: frontline supporting and running activities for adults with learning difficulties – current building is no longer fit for purpose.

5. Consultation Responses

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Historic Buildings and Conservation Officer:

My concerns regarding this application remain, these are in relation to the height of the proposed built form, its roofscape and materiality. I have no evidence within the submission that the design has been developed by an understanding of context.

I raise no 'in principle' objection to the community use building here, but I maintain the view that the design can be improved to result in a more contextually appropriate form.

Consequently, Design and Conservation do not support this application.

Environmental Health & Enforcement Manager:

The Environmental Health service is satisfied with the updated noise impact assessment and have no further comments.

Highway Authority:

Raise no objections subject to conditions including but not restricted to:

- Construction method statement to be submitted prior to any development taking place, including:
 - 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. wheel and underbody washing facilities
- Travel Plan to be submitted to and approved prior to development
- Prior to first occupation of the development the existing vehicular access at the south east of the site frontage shall be adjusted and reduced in width and shall become a shared vehicle access with the adjacent access road to the south. Full details of the shared access layout to be submitted to and approved by the Local Planning Authority.
- The redundant part of the existing access at the south east of the site boundary shall be suitably and permanently closed
- No occupation until the vehicle parking areas including a minimum of 3 parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays.
- Cycle facility to be provided in accordance with EPOA parking standards.

Arboriculturalist:

The proposed site plan shows the two existing trees to be removed but more space being provided for new landscape improvements.

The proposed building is large and therefore it is considered that proposed trees along the boundary with Sawyers Hall Lane should be of a more appropriate scale than flowering cherry. These would need to have an upright form so that they do not adversely affect the building. It is unclear if the existing hedge on the southern boundary is to be retained - there does not appear to be any reason for it to be removed.

The details of the landscape scheme can be dealt with by condition.

6. Summary of Issues

Site History

Planning permission was refused by the Council (ref. 13/00500/FUL) for the same development for the following reasons:

1. The proposal would detract from the amenities of adjoining residents at Homehurst House by reason of loss of outlook and overbearing effect contrary to the requirements of paragraphs 60 and 64 of the NPPF and Policy CP1 (II) of the Brentwood Replacement Local Plan 2005
2. The proposed development makes inadequate provision of off-street parking in the area to the detriment of highway safety and the general amenities of the area contrary to Policies CP1 and T2 of the Brentwood Replacement Plan 2005

In addressing the issue of loss of outlook and overbearing effect on residents of Homehurst House, the Inspector noted: the proposed 3 storey element projecting forward of the main front elevation of Homehurst House fronting Sawyers Hall Lane would not intrude into the views available from the habitable windows in that elevation.

Along the southern elevation of Homehurst House the greatest degree of conflict with the church building at its two storey bulk would range from between 13m and 18m. However, the Inspector found that given the intervening space, boundary treatment and existing trees the building would not appear excessively imposing or overbearing.

The east facing elevation of the west wing of Homehurst House would be set away in the region of 13m from the rear of the proposed church building, which at that point would have a two storey mass. This elevation would be at the corner of the church building and would not significantly overlap with the views from the units.

The proposed building form would be visible from the amenity space to the south of Homehurst House, but the fact that it is visible is not justification to refuse permission. While the proximity of the building to the boundary would increase the perceived presence of the building given the separation distances, this would not be so overwhelming on the adjacent site that would warrant dismissal of the appeal.

Regarding parking arrangements, the Inspector concluded that the potential demand for on-street spaces would exceed the available space in the immediate area. However, given the highly sustainable location of the area, the production of a travel plan to reduce demand and encourage the use of alternative means of transport; the availability of other parking near the town centre, the availability of

public transport, the absence of any objection by the Highway Authority, he was satisfied that the additional parking that may arise could be safely accommodated on the public highway and within nearby town centre parking facilities.

The Inspectors decision goes on to address amongst other issues, the design within the Conservation Area, noise issues and landscaping.

The full report is appended to this item and can be found under the appeal reference 14/00025/REF at: www.publicaccess.brentwood.gov.uk/online-applications

The main issues to consider as part of this application are the effect of the development on the character and appearance of the area, the effect on the living conditions of nearby residents, parking and highway considerations.

Site and Surroundings

The site is roughly square shaped and comprises a part single storey, part two storey post war building centrally sited and surrounded by hardstanding. Immediately to the north is a part two and three storey residential care home (Homehurst House). To the west of the site is a 6 storey Telephone Exchange office building and to the south, a group of Victorian terraced properties occupied by commercial medical uses.

The site is located on the northern edge of the eastern part of the Brentwood Town Centre Conservation Area, but does not fall within the Conservation Area.

The site is designated by the Brentwood Replacement Local Plan for community use.

The applicant's agent has confirmed that plan ref. 04 accurately demonstrates the ownership of the site: the applicant owns half of the vehicular road to the south of the site and they have a right of access across the entire road.

Principle of development

The site is allocated for community use in the Brentwood Replacement Local Plan; both local and national planning policy promotes the retention of community uses in sustainable locations which are best located close to existing transport infrastructure and other facilities. The principle of the replacement of a community facility in this location is therefore supported in principle.

Design and Effect on the surrounding area:

The replacement building has been designed so that it reads with elements distinguished by a variation of height and curved low pitched roofs. It has a

contemporary quality through the insertion of the expanses of glazing. Careful detailing and engineering of materials would need to be agreed in order to see this quality achieved. If permission is granted a planning condition for the agreement of materials is recommended.

The overall height of the church at its northern and southern extremities is in line with the eaves levels of surrounding properties, it then increases incrementally to its maximum height within the middle axis section of the church, and towards the Sawyers Hall Lane street scene.

Soft landscaping is proposed around the building the introduction of which will visually benefit what is currently a hardsurfaced area. The Arboricultural Consultant recommends a condition for details of new tree species to be agreed and details of the additional soft landscaping can be included as part of this condition.

The Historic Buildings Consultant (HBC) comments are reported above; in brief, she is unable to support the design proposal based on what she considers the lack of contextual understanding and the loss of views in and out of the Conservation Area.

Impact on Neighbouring residential amenity

Objections have been raised by residents of Homehurst House (a retirement home) on the basis of loss of light, loss of outlook, overbearing effect and loss of privacy.

Homehurst House has a 'z' shaped built form and is a part two, part three storey high building. The existing and proposed buildings would be at an angle to each other ; the north west elevation of the proposed building between 18 metres, narrowing to 5.4m at the eastern point. The applicant's submission includes a plan (dwg A/16 revB) detailing an overshadowing study applying a 25 degree angle guidance (Essex Design Guide) that suggest there would be no material loss of light to the windows on the Homehurst House elevation facing the building. The windows on the second floor of the development would be high level and serve 'seminar' rooms. There would be no direct views from these windows into the adjoining site.

A full floor to ceiling glazed element on this elevation would be recessed into the building line; a condition to ensure that the upper parts of this window could be conditioned as obscure glazing in order to minimise any perception of overlooking. Otherwise, it is considered that the development would not result in any unacceptable overlooking, loss of privacy or overbearing effect on the residents of Homehurst House. On this basis it is considered that the development would comply with CP1(ii) of the Local Plan.

With regards to a loss of outlook, as noted by the Planning Inspector, although the building will be visible and apparent from the amenity space and windows of the south elevation of Homehurst House , that in itself is not a reason to warrant refusal.

Parking and Highway Safety

Current Highway Authority parking standards for a church building are a maximum of 1 space per 10 square metres of gross floor area. Given that this is a maximum standard, and there is no minimum standard for this type of development, the development of a site should not exceed these figures when providing vehicle parking within a site, particularly in main urban areas, with good access to frequent and extensive public transport. In highly sustainable locations no parking provision could be considered to comply with policy.

The proposal provides 25 car parking spaces (of which 2 are for staff, 2 are for people with mobility difficulties and 21 are standard spaces).

The Highway Authority has raised no objection to the proposed development, subject to conditions, given the proposed and existing use, the contents of the draft Travel Plan, the location with good access to public transport, the on-street parking restrictions and given that the site is within easy walking distance to town centre car parks.

Other Matters:

The objections relating to size, design and impact on residents amenity have been addressed above. With regards to noise objections, the Council's Environmental Health officers are satisfied with the updated Noise Impact Report and raise no objections, including the proposed extraction unit for the café and hours of operation for outdoor play, which can be controlled by a planning condition.

The siting of the bin store is reserved as a condition with details to be submitted and agreed with the Environmental Health / Operations Manager as appropriate. With respect to other concerns raised the following comments are made:

The impact of development (subsidence) is regulated by other statutory legislation.

The church use is an existing use within this town centre location. Environmental Health officers have not raised any objections in relation to the impact on the residential home for elders in relation to this application and there are no additional policies within the Local Plan or the NPPF which object to the principle of the development being close to residential homes for Elders.

Noise and disturbance arising from construction work can, to an extent be limited through hours of working however these restrictions are controlled by Environmental Health regulations.

The planning balance and conclusion

The Appeal Decision is a material planning consideration in the determination of this application and should be afforded considerable weight. Since the last approval there have been no changes to Planning Policy or to site conditions that would amount to other material considerations leading to a different conclusion to that of the appeal decision.

The replacement community facility is supported by both local and national planning policy, is in a highly sustainable location and as outlined in the application submission, will provide many activities, projects and initiatives to promote and support a wide range of local volunteer groups and businesses. These initiatives are considered to provide a significant level of public social benefit for the local community, especially to vulnerable groups. As such, it will allow the site to achieve its optimum viable use. The proposal will maximise the full potential of the site for a community use which will be beneficial for a substantial proportion of the Brentwood community.

Concerning the scale and siting of the church building, it is acknowledged that the building will have some effect on the amenity of the occupiers of the nearby Homehurst House, and the overall size of the building will affect views in and out of the nearby Conservation Area.

However, as assessed it is considered that the overall effect is within acceptable parameters, an assessment that has been supported by the Planning Inspector.

These matters weigh in favour of the application, and having consideration for all other issues such as highway and transport concerns, the proposal is considered to meet the definition of sustainable development and subject to conditions is 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 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 U22398

No development above ground level shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping showing details of new trees, shrubs and hedges and a programme for their planting and details of all existing trees and hedgerows on and overhanging the land, and details of any to be retained, together with measures for their protection in the course of development. The landscaping scheme shall be carried out as approved. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

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

4 U22399

All tree works must be carried out in accordance with good practice as defined in BS3998.

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

5 U22401

The development shall not commence until a detailed, current Travel Plan has been submitted to and approved by the local planning authority. The approved travel plan shall be complied with during the operation of the site for the approved uses.

Reason: To reduce the use of motor vehicles and encourage other modes of transport and to provide management of the vehicles attending the site.

6 U22402

The windows/glazing proposed for the central section of the southeastern elevation at first and second floor level shall be glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and 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 in accordance with the approved details prior to the first occupation of the building or use of the room in which the window(s) is installed. Those windows shall remain so glazed and non-opening.

Reason: In the interests of the residential amenity of the adjoining residents.

7 U22403

Details of a site wide waste strategy for the development shall be submitted to and approved in writing by the local planning authority prior to any superstructure works commencing on site. The details shall include:

- i) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);
- ii) a waste management plan

The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/ erected prior to the first occupation of the development and shall be maintained as such thereafter.

Reason: In the interests of the residential amenity of the adjoining residents.

8 U22404

No development shall take place until drawings that show details of proposed new windows, doors, eaves and cills by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

9 U22405

No development above ground level shall be undertaken until samples of the materials to be used on the external finishes have been made available for viewing on site and have subsequently been approved in writing by the local planning authority.

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

10 U22406

No development above ground level shall be undertaken 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 the character and appearance of the area.

11 U22407

The church building hereby approved shall not operate outside the hours of 07:00 until 23:00 hours on any day.

Reason: In the interests of the residential amenity of the surrounding dwellings.

12 U22408

The ground floor restaurant/bar facility hereby approved shall only operate as an ancillary service in conjunction with the operation of the site as a church and shall not be operated as a separate business.

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

13 U22409

The external play area as shown on the approved drawings shall not operate outside the hours of:

Thursdays between the hours of 09:30 and 17:00

Fridays between the hours of 09:30 and 17:00

Sundays between the hours of 10:30 and 12:30.

Reason: In the interests of the residential amenity of the area.

14 U22410

Development shall not be commenced until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall be carried out in accordance with the approved surface water drainage details and shall be retained as such thereafter.

Reason: In the interests of the amenity of the area.

15 U22411

No development above ground level shall be undertaken until details of the existing and proposed site levels and the finished floor levels of the proposed building shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details.

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

16 U22412

The premises shall be used for a Church and its ancillary activities and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of the residential amenity of the area.

17 U22413

No development shall take place, including any ground works or 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. wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety. Given the nature of these details required, it is fundamental that this information is provided prior to the commencement of the development.

18 U22414

Prior to first occupation of the development the existing vehicular access at the south east of the site frontage shall be adjusted and reduced in width as shown in principle in the planning drawing A/04 Rev B. This shall become a shared vehicle access with the adjacent access road to the south. The width of the access at its junction with the highway shall not exceed 6 metres and shall retain an appropriate dropped kerb vehicular crossing of the footway. Full details of the shared access layout to be submitted to and approved by the Local Planning Authority.

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

19 U22415

The redundant part of the existing access at the south east of the site boundary shall be suitably and permanently closed incorporating the reinstatement to full height of the highway footway and kerbing immediately the proposed shared access is brought into first beneficial use.

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

20 U22416

Notwithstanding the details shown on the planning drawing A/04 Rev B, the proposed development shall not be occupied until such time as the vehicle parking areas including a minimum of 3 parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. Each parking space shall have minimum dimensions in accordance with current parking standards.

The vehicle parking 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. Full details of the revised layout to be submitted to and approved by the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

21 U22417

The proposed adjustment to the pedestrian access in the front boundary wall and the provision of new boundary wall on the south east site frontage directly abuts to the back of the footway. This is public highway and the construction work must be carried out subject to arrangements made with the Service Management Office (SMO).

Reason: In the interests of highway safety.

22 U22418

The Cycle / Powered Two Wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate Cycle / Powered Two Wheeler parking is provided in the interest of highway safety and amenity.

23 U22419

No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

24 U22420

There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

Informative(s)

1 INF04 Amendments to approved scheme

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 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, CP2, T2, LT8, LT10, C14, PC4 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF21 Approved Without Amendment

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 U05099

The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.

All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO3, Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, CM13 3HD or emailed to development.management@essexhighways.org

BACKGROUND DOCUMENTS

DECIDED: