

SITE PLAN ATTACHED

BARNSTON WAY GARAGE SITE HUTTON BRENTWOOD ESSEX CM13 1YE

DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF 1 X 2 BEDROOM DWELLING AND 2 X 3 BEDROOM DWELLINGS. WIDENING OF EXISTING ACCESS ROAD TO 6M AND REFUSE IMPROVEMENTS AT THE REAR OF WHITTINGTON ROAD.

APPLICATION NO: 19/00565/BBC

WARD	Hutton North	8/13 WEEK DATE	29.05.2019
PARISH		POLICIES	
CASE OFFICER	Mrs Carole Vint	01277 312500	
Drawing no(s) relevant to this decision:	Design & Access Statement ; Trees Survey; P101 /C; P102 /C; P200 /C; P201 /C; P202 /C; E001 ; P001 ; P100 /B;		

The application is being presented to the planning committee as Brentwood Borough Council is the applicant.

1. Proposals

This application relates to the demolition of existing garages (10 in total) and the construction of a two storey terrace of 3 no. townhouse dwellings (1 x two bedroom and 2 x three bedroom) at Barnston Way Garage Site. The access road would be widened to safely accommodate the cars entering and exiting the site and provide an improved access to the public open space. A purpose built refuse store would be re-positioned from its current informal location underneath the window of the adjacent ground floor block of flats to a location set back from the new widened access.

2. Policy Context

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance (NPPG)
Policy CP1 General Development Criteria
Policy H6 Small Unit Accommodation
Policy T2 New Development and Highway Considerations
Policy T5 Parking – General
Policy LT2 Development of Existing Urban Open Spaces

Local Development Plan:

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation between 5 February and 19 March 2019. The responses to the consultation are currently being assessed. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in Q3 or Q4 of 2019. Provided the Inspector finds the plan to be sound, it is estimated that it could be adopted by the Council in early/mid 2020.

The Brentwood Replacement Local Plan 2005 remains the development plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF).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).

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 Local Plan Pre-Submission (Publication Draft) 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.

3. Relevant History

None relevant

4. Neighbour Responses

One letter has been received from a neighbouring dwelling. The concerns arising from the letter include:

- Concerns regarding potential overlooking;
- Potential loss of value to properties in Colet Road;

5. Consultation Responses

• Open Space Strategy Coordinator:

From reviewing the planning application, it would seem that the development will encroach onto the existing open space at the rear of the Hutton Poplars Estate. This open space is a relatively large field sufficient to accommodate two football pitches with surrounding space and therefore the relatively small loss is not of a concern.

It is felt that the loss is mitigated by the overall benefits the proposed development will have on the wider environment and community bringing a somewhat unused

and secluded garage site into use and allowing a more visually appealing back drop to the existing open space.

The development would result in the loss of the existing access gate and boundary fencing between the open space and development site and so a condition within the permission will be required to ensure that the gate and fencing is replaced with a suitable alternative to be agreed by Officers.

At this stage there is no initial objection from an open space's perspective.

- **Housing Services Manager:**

Discussion

The Brentwood Replacement Local Plan (Aug 2005) does not indicate a tenure or preferred bedroom size mix; centering it on negotiations based on housing need. Housing Need within the Borough is identifiable via the Objectively Assessed Need (OAN) as per the Strategic Housing Market Assessment (SHMA) Part 2.

Affordable Provision

3 total units are included for approval, of which 3 are to be affordable. At 100% the provision exceeds required quantum of affordable housing provision.

The proposed tenure mix is in line with the SHMA Part 2 and will provide much needed social housing properties for families within the Borough.

Location

The location and layout as suggested in the application is deemed to be suitable, noting the small scale of the site within existing communities.

Management

No management issues of affordable housing are envisaged, as the properties will be owned and managed by Brentwood Borough Council in line with existing stock.

Summary

The suggested provision of affordable housing does meet evidenced housing need within the Borough and is a progressive provision of social housing.

I would recommend that the scheme shows a well-balanced provision of affordable housing, in line with identified housing need within the Borough.

Recommendation

The provision of affordable housing as per the application is supported by Brentwood Borough Council Housing Services.

- **Environmental Health & Enforcement Manager:**

I have no objection to the proposed development. If permission is to be granted, I would suggest the following issues are addressed by way of conditions.

Contaminated land

As a previous developed site there is the possibility of oil and other fluids having been split on the site from its use as garages.

I would suggest that the full suite of contaminated land conditions is applied to the approval.

Demolition and Construction

The developer should submit a Construction Environmental Management Plan. The garages have asbestos cement roofs. The CEMP should address the safe removal and disposal of any contaminated waste. The standard hours of work would be appropriate for the development.

- **Highway Authority:**

The documents accompanying the application have been duly considered and a site visit carried out. It is noted that this section of Barnston Way does not form part of the public highway, but it is a public right of way. Given that the application includes plans to widen the current access road and maintains access to the public right of way, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the following requirements;

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan 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.

2. The widened access road onto Whittington Road shall be provided as shown in principle in the Proposed Block Plan drawing No. P001. The road shall be hard-surfaced for its full length.

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

3. Cycle parking for the dwellings without a garage shall be provided in accordance with the EPOA Parking Standards. The approved facilities shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

4. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, as approved by Essex County Council, and to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

Informative

The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 122, Brentwood parish (as shown as a purple dotted line in the drawing below), shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

Please note that the Highway Authority shall only maintain the surface of Barnston Way to that commensurate to its use as a footpath.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

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, Childerditch Highways Depot, Hall Drive, Brentwood, Essex CM13 3HD.

- **Operational Services Manager:**

From the plans I can see no issue in relation to waste collections from these 3 proposed properties.

- **Basildon Fire Station:**

The submission has been considered and the following observations are made:

Access

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and the Building Regulations 2010.

The proposal itself does not affect fire service access to existing premises in the vicinity.

Although fire service vehicular access to the proposed dwellings would be achievable meeting the hose distance criteria as specified in Approved Document 'B' Volume 1 Sec B5; there will be inadequate turning facilities for a fire appliance and therefore the proposal would not be acceptable. However, where the requirements of the Approved Document cannot be met the extended distances implied will allow for relaxation of the criteria specified provided the house are fitted throughout with a sprinkler system conforming to the requirements of BS 9251:2014 or BS EN 12845. (BS 9991: 2015 refers).

Water Supplies

Should the application be successful the architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development and they are therefore urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344 at the earliest opportunity.

- **Arboriculturalist:**

There are no trees within the site that would be affected by the proposed development. There is a line of trees within the adjacent park however these are set back sufficiently to ensure that they would not be adversely affected by the development. The only trees that will require some management are a line of Leyland Cypress in third party ownership growing as a hedge along the access to the site. They are currently overhanging the access. It is considered that facing these back to the property boundary would enhance the appearance of the access. It is possible over time that the small trees and shrubs growing on the rear boundaries of properties in Colet Road may require facing back to the boundary to prevent encroachment over the small rear garden spaces.

Plans within the DAS indicate new planting will be provided within the development. The detail of the scheme can be dealt with by condition.

There is no objection to the scheme on landscape grounds.

6. Summary of Issues

The main issues which require consideration as part of the determination of this application are;

- The impact of the proposal on the character and appearance of the area;
- Impact on the amenity of the occupiers of neighbouring properties;
- Impact on the quality of life for the occupiers of the altered and proposed unit;
- Parking and Highway considerations;

Concerns were raised with the applicant regarding potential overlooking that may occur from the first floor side bedroom window to Plot C, this window has been re-designed to have a directional casement standing seam enclosure to mitigate any potential harm.

Principle of Development

The proposal is for the demolition of the existing garages (10 in total) and the construction of three two storey dwellings (1 x two bedroom and 2 x three bedroom) set in a terrace, alongside improved pedestrian access to the adjacent open space and refuse improvements to the rear of Whittington Road. The site is within a residential area as defined in the Brentwood Replacement Local Plan. As such, the principle of developing this site for residential purposes is acceptable subject to other considerations, such as design, residential amenity considerations and highway/parking matters.

Design, Character and Appearance

The application site is a disused garage site in Barnston Way accessed off Whittington Road, Hutton. A Public Footpath, No. 122 runs through the site and a substantial public open space is adjacent to the west. The application site includes an 8 metre wide strip of the adjacent public open space, to allow for access to the dwellings and continued access to a privately owned garage to a dwelling in Colet Road, north of the application site. To the north, north east and south east are two storey dwellings in Colet Road and Whittington Road and a three storey block of flats to the south west of the site.

The site is currently occupied by 10 derelict unused pre-cast concrete garages, with asbestos cement roofing sheets and the site is predominately concreted over. The design and access statement submitted with the application refers to the garages being in a poor condition and concerns reported to the Council regarding fly tipping and anti-social behaviour. It is considered that the loss of the garages is outweighed by the overall benefits of the proposed development, resulting in a positive impact on the wider environment and community, bringing a somewhat unused and secluded garage site into use and allowing a more visually appealing back drop to the existing adjacent public open space.

The proposed dwellings comprise of a terrace of three dwellings with a gable pitched roof and a flat roof link side addition. The height of the ridge of the gable is 7.5 metres with the flat roof additions measuring 5.6 metres. The dwellings would have a total width of 22.4 metres and a maximum depth of 10.2 metres. The dwellings would be positioned 3 metres from the rear boundary of the dwellings in Colet Road. Each dwelling would have their own individual private amenity space of approximately 25 square metres at the rear, a front garden with bin store area and off street parking, and a private terrace of approximately 9 square metres at first floor facing the adjacent public open space. Details of the boundary treatments are to be provided, along with landscaping, however the drawings indicate that fencing would be used at the rear with a hit and miss brick wall along the front boundary with some landscaping in the front garden areas.

Two of the dwellings proposed would be classed as specialist housing, having full ground floor living accommodation. All three of the dwellings would be for affordable rent and owned and managed by Brentwood Borough Council in line with existing housing stock, meeting demonstrated housing need within the Borough.

The proposed dwellings would be built using timber weather board to the first floor elements with brick for the ground floor walls and the flat roof additions. Plain clay roof and ridge tiles would also complement the development within its surroundings, along with aluminium windows and powder coated rainwater goods. Samples of the materials are to be agreed in writing prior to commencement. The site is not particularly visible from the street scene and given the surrounding dwellings are two storey and three storey in height, it is considered that the proposed dwellings would not have an unacceptable detrimental impact on the character and appearance of the surrounding area and would comply with Chapter 12 of the NPPF (2019) in relation to design and Policy CP1 (i) and (iii) of the Brentwood Replacement Local Plan.

Living quality of life for the occupiers of the proposed units

The proposed dwellings would be set back from the rear boundary of the rear gardens of dwellings in Colet Road by approximately 3 metres, the resulting residential amenity space of approximately 34 square metres (rear amenity space and private raised terrace area), would not meet the minimum requirement of 75 square metres as set out in Appendix 1: Extracts from the Essex Design Guide for Residential and Mixed Use Areas. However, given the location of the dwellings in relation to the public open space immediately adjacent to the site, the amount of private amenity space provided is considered acceptable in this regard.

The floor plan indicates that all rooms will be served by adequate windows providing light, ventilation and outlook and meet the national space standards in terms of habitable floor space.

Permitted development rights would be removed for outbuildings and extensions including roof additions in order to prevent the reduction of the garden space without the need of planning permission.

Impact on Neighbour Amenity

In terms of overlooking and lack of privacy, the proposed dwellings would be set back from the boundary of rear gardens in Colet Road by approximately 3 metres. Although this distance would not allow for an eye to eye distance from rear to rear of 35 metres, this distance can be reduced where privacy has been achieved by design. The windows in the rear at first floor level are all high level windows, positioned above a height of 1.7 metres from the finished floor level and have limited openings. Those in the gables serve bedrooms, with the others in the flat roof additions serving bathrooms which would be obscured glazed, for privacy of the users. These high level window openings would avoid potential overlooking. Concerns were raised in regards to the opening to bedroom one in Plot C, this window has since been re-designed to have a directional casement standing seam enclosure to mitigate any potential overlooking. Given the urban location and the design of the first floor windows, it is considered to not have an impact on the neighbouring amenity.

In relation to overbearing effect, the dwellings have been designed with vaulted ceilings to limit the overall external height to 7.5 metres. The dwellings present a gable end with gaps to each side to reduce their impact on the properties to the north. Furthermore the gardens in Colet Road at approximately 22 metres, the dwellings would have some effect on the enjoyment of the gardens of occupiers of the dwellings to the north of the site. However given the urban location and design of the dwellings, it is considered that the effect would be limited and acceptable.

It is therefore considered that the proposal would not have an unacceptable detrimental impact on the general amenities of nearby occupiers, by way overlooking, overbearing effect or lack of privacy and would comply with Policy CP1 (ii).

Parking and Highway Considerations

The drawings indicate that each dwelling unit would have two parking spaces, with Plot C having one integral garage. The number of parking spaces provided meets the Essex Parking Standards in terms of size and layout. Parking would be provided in front of each dwelling, with a parking area to the south east providing the further two spaces required for Plots A and B, no objection is raised on this matter and the proposal is considered compliant with Policies T2, T5 and CP1 (iv) of the Local Plan and NPPF.

Cycle parking for the dwellings without a garage will be provided in accordance with the Essex Parking Standards.

The access to the site would be improved and widened. This access is also well used by pedestrians for access to the public open space and as a route to Shenfield Train Station. The improvements will also maintain the existing public footpath No. 122 that passes through the site.

Other matters

The application site encroaches onto the adjacent public open space with the reconfiguration of the access to the new dwellings and to the existing garage of a resident in Colet Road. Although Policy LT2 states permission will not be granted for development of public open space, this encroachment is considered acceptable as the public open space is relatively large and is sufficient to accommodate two football pitches with surrounding space.

Conclusion

The proposal would make a modest contribution to housing land supply in the Borough but it is acceptable in planning terms in its own right without having to rely on this issue to justify permission.

The application is recommended for approval subject to conditions.

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 MAT02 Samples (details not acceptable)

Notwithstanding the details indicated in the application, no development 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.

4 U30421

The first floor window(s) on the north facing elevation serving bathrooms shall be:-
a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration. 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. (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.

5 U30442

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, including removal of the garage roofing material.
- 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.

6 LAN04 Landscaping - Small Developments

No development shall take place until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection, has been submitted to and approved in writing by the local planning authority. 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, 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.

7 U30423

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reasons

To safeguard the living conditions of the occupiers of neighbouring dwellings.

8 U30424

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a dwellinghouse') shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reasons: To avoid overdevelopment of this small site.

9 RESL05 No PD for dormers/roof

Aside from those indicated on the approved drawings, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no dormer windows, or rooflights shall be constructed and no change shall be made to the shape of the roof without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

10 SIT01 Site levels - to be submitted

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.

11 BOU01 Boundary treatment to be agreed (gen)

The development shall not be occupied 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.

12 U30425

No development shall commence until a remediation scheme to bring the site to a suitable condition for residential development has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation scheme will be implemented prior to the commencement of any part of this planning permission (unless otherwise agreed in writing by the local planning authority). Formulation and implementation of the remediation scheme shall be undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers. Such agreed measures shall be implemented and completed prior to the commencement of any development of the site.

o Should contamination be found that was not previously identified during any stage of the application hereby approved or not considered in the remediation scheme that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed and a separate remediation scheme shall be submitted for approval by the Local Planning Authority. Such agreed measures shall be implemented and completed prior to the commencement of any development of the site.

o The developer shall notify the Local Planning Authority in writing of impending completion of the remediation works within one month of the completion of the said works. Within four weeks of completion of such works a validation report undertaken by competent persons in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers related to the agreed remediation measures shall be submitted to the Local Planning Authority for approval. There shall be no residential occupation of the site until the Local Planning Authority has approved the validation report in writing. Furthermore, prior to occupation of any property hereby permitted, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the conditions above.

Reason: To protect the safety of future occupiers of the dwellings given the long history of vehicle related uses on the site.

13U30427

Prior to the occupation of the development, details for the provision of cycle parking for the dwellings without a garage shall be provided in accordance with the EPOA Parking Standards. The approved facilities shall be secure, convenient, covered and be retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

14 U30443

Details of the replaced gate and fencing to the public open space shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the safety of users of the public open space is maintained.

15U30444

The widened access road onto Whittington Road shall be provided as shown in principle in the Proposed Block Plan drawing No. P001. The road shall be hard-surfaced for its full length.

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

16U30428

Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, as approved by Essex County Council, and to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

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, H6, T2, T5, LT2, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

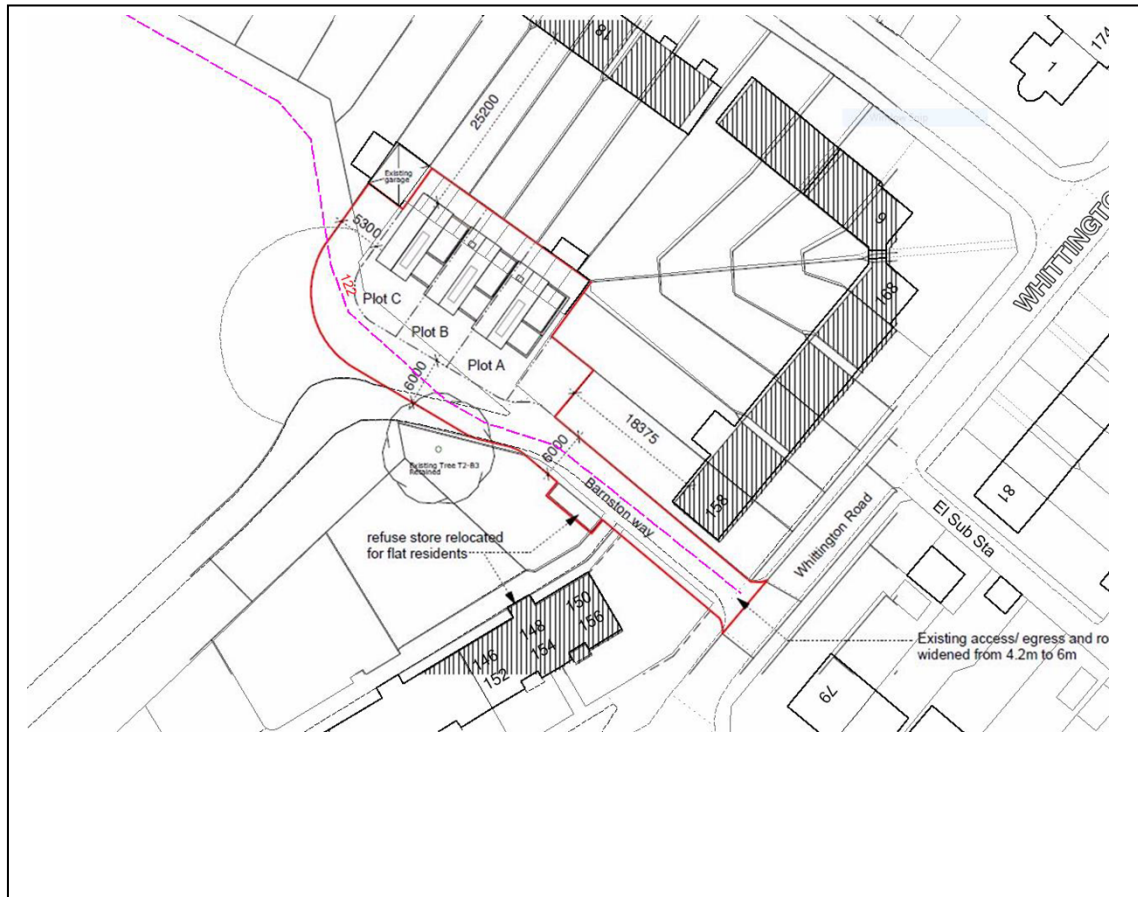
3 INF22

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.

4 U06308

Highway informatives:

The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 122, Brentwood parish (as shown as a purple dotted line in the drawing below), shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.



Please note that the Highway Authority shall only maintain the surface of Barnston Way to that commensurate to its use as a footpath.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

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, Childerditch Highways Depot, Hall Drive, Brentwood, Essex CM13 3HD.

5 INF29

The developer is reminded of the provisions of the Party Wall etc Act 1996 which may require notification of the proposed works to affected neighbours. Detailed information regarding the provisions of 'The Act' should be obtained from an appropriately qualified professional with knowledge of party wall matters. Further information may be viewed at <https://www.gov.uk/party-wall-etc-act-1996-guidance>

6 U06310

Following advice from the Fire Service, due to the inadequate turning facilities for a fire appliance, however the guidance allows for relaxation of the criteria, providing that the houses are fitted throughout with a sprinkler system conforming to the requirements of BS 9251:2014 or BS EN 12845. (BS 9991: 2015 refers).

7 U06311

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development and they are therefore urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344 at the earliest opportunity.

Appendix A – Site Map