

SITE PLAN ATTACHED

REGENT HOUSE HUBERT ROAD BRENTWOOD ESSEX

OUTLINE APPLICATION WITHIN CAR PARK OF EXISTING RESIDENTIAL BLOCK COMPRISING 31 FLATS, INCLUDING 11 AFFORDABLE UNITS AND PARKING PROVIDED AT A RATIO OF 0.9 SPACES PER DWELLING (APPEARANCE AND LANDSCAPING RESERVED MATTERS)

APPLICATION NO: 18/01601/OUT

WARD	Brentwood West	8/13 WEEK DATE	03.01.2019
PARISH		POLICIES	
CASE OFFICER	Mr Mike Ovenden	01277 312500	
Drawing no(s) relevant to this decision:	1192-099 /1; 1192-100 ; 1192-101 ; 1192-102 ; 1192-200 ; 1192-201 ; 1192-202 ; 1192-203 ; 1192-300 ; 1192-400 ; 1192-401 ; 1192-402 ; 1192-001 /2; Site and Location Plan ;		

This application has been referred to committee at the request of Councillor Chilvers for the following reasons:

- over-development of the site
- will be overbearing on the existing block 1, level of daylight and privacy
- too many properties on the site
- loss of amenity space
- too close to existing properties
- 11 units of social housing would change the nature of the apartments that were sold with a promise of "Opulence, Privacy & Exclusivity".
- Increase in traffic and traffic movements throughout the day
- concern over the conservation of trees

1. Proposals

This is an outline application for the erection of a building comprising 31 flats, including 11 affordable units within a six storey building, adjacent to a 9 storey former office building converted to residential use under permitted development rules. The land on which the building would be built forms part of the tarmacked car park associated with the former offices.

The application provides details of access, layout and scale leaving appearance and landscaping as reserved matters to be agreed later if this application is granted planning permission.

2. Policy Context

National Planning Policy Framework (NPPF) 2019

National Planning Practice Guidance (NPPG)

Policy CP1 General Development Criteria

Policy CP2 New Development and Sustainable Transport Choices

Policy H6 Small Unit Accommodation

Policy H9 Affordable Housing on Larger Sites

Policy H14 Housing Density

Policy E1 Areas Allocated for General Employment

Policy T2 New Development and Highway Considerations

Policy T5 Parking – General

Policy PC4 Noise

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

- 16/00290/PNCOU: Prior Approval Notification Class O - Change of use of Offices Class B1(a) to form 136 apartments (Class C3) -Prior Approval is required/Given

- 16/00587/PNCOU: Prior Approval Notification Class O - Change of use from office space (B1(a)) to 126 residential flats (C3 use class). -Prior Approval is required/Given
- 16/00607/PNCOU: Prior Approval Notification Class O - Change of use from office space (B1(a)) to 98 residential flats (C3 use class). -Prior Approval is required/Given
- 16/00644/PNCOU: Prior Approval Notification Class O - Change of use from office space (B1(a)) to 98 residential flats (C3 use class). -Application Refused
- 16/01298/PNCOU: Prior Approval Notification Class O - Change of use from office space (B1(a)) to 120 residential flats (C3 use class). -Prior Approval is required/Given
- 17/01486/FUL: Removal of existing cladding and replacing with new render and the replacement of existing windows for new on the upper floors -Application Permitted
- 18/00197/FUL: Variation of cond 3 of application 16/00290/PNCOU (Prior Approval Notification Class O - Change of use of Offices Class B1(a) to form 136 apartments (Class C3)) to allow for an alternative cycle layout. -Application Permitted
- 16/00290/NON/1: Non material amendment for a revised layout to application 16/00290/PNCOU (Prior Approval Notification Class O - Change of use of Offices Class B1(a) to form 136 apartments (Class C3). -Application Permitted
- 18/01210/PNCOU: Prior Approval Notification Class O - Change of use of offices (Class B1A) to a dwellinghouse (Class C3) to convert part of the ground floor of the office building to form one 2 bed apartment. -Prior Approval is Not Required

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/>

- Effect on light in existing properties/overshadowing
- Conservation of trees
- Loss of parking/inadequate parking
- Overlooking of Regent House and La Plata Grove
- Traffic issues local and further afield/ congestion/HGV traffic to Hubert Road commercial units
- Noise/disturbance during construction and occupation
- Possible damage to vehicles during construction
- Comments about timing of application
- Not made aware of application when purchasing flat / not being provided with spaces allocated/paid for
- Devalue my property/loss of view/view of trees/loss of vista
- Would cause more harm than benefit
- Not needed as existing flats remain unsold
- Concern about use of playground by teenagers and others

- Should include upgrade to public footpath to station
- Adding affordable housing is not welcome

5. Consultation Responses

- **Arboriculturalist** – none received
- **Housing Services Manager**– Comments made with respect to S106 requirements.
- **Highway Authority-**

The documents accompanying the application have been duly considered and a site visit carried out. It is noted that Hubert Road is a private road and does not form part of the highway. The proposed development is not expected to generate a significant number of peak hour trips. Given that it also benefits from being situated in a sustainable location close to the town centre's facilities that include frequent and extensive public transport services, a relaxation of the car parking standard is able to be justified.

Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the following requirements;

1. Prior to occupation of the development and as shown indicatively on Drawing no 180100-003 Revision A, the proposed site egress shall be constructed at right angles to the existing carriageway on Hubert Road and shall be provided with an appropriate dropped kerb vehicular crossing of the verge.

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

2. Prior to occupation of the development and as shown indicatively on Drawing no 180100-003 Revision A, the proposed site egress at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 34 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the site egress is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the site egress and existing users of Hubert Road in the interest of safety.

3. The existing site egress shall be suitably and permanently closed incorporating the reinstatement to full height of the kerbing immediately the proposed new site egress is brought into first beneficial use.

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

4. Cycle 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 parking is provided in the interest of highway safety and amenity.

5. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling as approved by Essex County Council.

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

Informatives

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.

- **Environmental Health & Enforcement Manager** – none received
- **Basildon Fire Station-**

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. From the information available it appears that fire service vehicular access will require compensatory measures to address the requirements of the Building Regulations 2010. Such measures may take the form of the provision of an internal dry rising main. The main will consist of externally mounted inlet box and outlet valves at each floor level within the protected staircase / firefighting shaft. The inlet box will be located no further than 18 metres from the nearest pumping appliance set down point and be clearly visible from the appliance (Section B5 Approved Document Fire Safety Volume 2 refers); as such, provided the criteria specified above or other acceptable arrangement is implemented then this Authority has no objection to the proposal.

As the development involves flats more detailed observations on access and fire fighting facilities for the Fire Service will be considered at Building Regulation consultation stage.

Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Authority in accordance with Section 13 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).
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Computer Files

SL-30 2

Water Supplies

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

Sprinkler Systems

There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

- **Design Officer -**

The submission follows preapplication discussions, the advice from this is broadly followed in the proposals. This submission for 31 units is not objected to by Urban Design in principle, scale is accepted given the context.

Design development is required and this will no doubt be undertaken prior to any application for the reserved matters of appearance, for example the ground floor (pedestrian level) is bland, the overrun of the lift on the roof and balustrading around the perimeter at roof level in particular is not supported, it would be better to raise the parapet at roof level and use an safety system for maintenance and repairs not apply an incongruous railing around what is proposed to be quite a simple architectural form.

As I advised at preapplication, landscape is important and we discussed a green square and sense of entry to the building, I note however Landscaping is also a reserved matter.

- **Planning Policy – none received**

6. Assessment

The starting point for determining a planning application is the development plan, in this case the Brentwood Replacement Local Plan 2005. Planning legislation states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for

determining this application are the National Planning Policy Framework 2019 (NPPF) and National Planning Practice Guidance (NPPG). Although individual policies in the Local Plan should not be read in isolation, the plan contains policies of particular relevance to this proposal which are listed in section 2 above.

Loss Areas Allocated for General Employment

The site is part of an area identified in the local plan for retention of employment uses under Policy E1. However Regent House has been subject to the prior notification/permitted development change of use of office to residential. The permitted development procedure does not have regard to such local allocations. Following the implementation of the permitted development conversion of Regent House to residential, it and its curtilage are no longer in employment use and the redevelopment of the application site for further non employment use is acceptable in principle.

Design

Currently there is one building on the overall site, Regent House, a former officer block of 9 storeys high. This sits close to Hubbert Road. The rest of the site is an open tarmacked car park dating from its period as offices. Hubert Road drops downhill and to the south are commercial units at a lower level. To the east is a wooded area of tall mature trees, with an informal path running through it.

The proposed building is shown parallel to Regent House in excess of 30 metres between them at their nearest. There is also a change in levels so that the proposed ground floor would be a storey lower than the northern part of Regent House.

Regent House is visible in longer views from the south and east of Brentwood. The proposal would have some visibility in longer views commensurate with its lower height and partial screening by Regent House from some locations and would form a backdrop to it from other views. On this site a building of height is acceptable in principle. Other than the elevation facing Regent House, the units would be provided with balconies.

Appearance is a reserved matter so details would have to come forward as part of a reserved matters application prior to commencement. The Design officer has not objected in principle and scale is accepted given the context.

The application shows the position of the building, its basic form, a detailed ground floor plan showing car and cycle parking, lift, stairs etc and more generic information on the units on floors above. The mix would be:

- 10 x 1 bed units
- 19 x 2 bed units
- 3 x 3 bed units

The size of the units comply with the technical housing standards – nationally described space standards (THSS). The space standards have not been adopted by the Council and therefore they do not carry the weight of development plan policies or

supplementary local guidance. Nevertheless the standards give an indication of what the Government considers is a good standard of accommodation and are used for development management decisions in the borough.

Amenity

The proposed new building would be in excess of 30 metres from Regent House, at its closest (at the two ends), with central units being approximately 35 metres away. The Council does not have minimum distance requirements for flat blocks, though this degree of separation is considered to be acceptable. The design and access statement and floorplans indicate that only some of the units would face the existing building. Condition 4 is recommended to require measures to avoid material overlooking.

To the east and south there is a gap of approaching 55 metres between the building and the curtilages of the properties at La Plata, with a tree belt in between. The indicative generic tree shapes on the drawings do not accurately reflect their form and under underestimate their height. Having had regard to distances, alignment of the building and the tree belt, overlooking of those properties is unlikely to be material. Though overlooking of commercial units is more likely due to proximity, it does not generally raise the same concerns as overlooking residential properties. In addition there is a significant change in levels further down Hubert Road and those buildings are low so views would be mostly over rather than in to the commercial buildings. It is noted that some distant view of adjacent land is already possible from the existing, taller building.

However notwithstanding the above, a planning condition can be imposed requiring detail of floor layouts (including bedroom bathrooms etc) and windows together with measures to mitigate overlooking of residential property, with the reserved matters application.

With regard to daylight reaching the south-east facing windows of Regent House applying a 25 degree angle guide indicates that the proposal would not materially affect daylight in rooms facing the proposed development. This is illustrated by the applicant in the design and access statement (P8). With regard to sunlight, the lower units in Regent House would be likely to be affected during the morning, though less so to the upper units and unaffected later in the day.

The proposed building would in turn receive some degree of shadowing later in the day from Regent House and lower windows on the north east facing windows would have some reduction of daylight but neither to an unacceptable extent.

Some of the representations have raised concerns about disturbance from a proposed small play area to the south of the existing block due to its proximity. Due to its size it is likely to operate as a LAP (Local Area for Play) for informal play which by nature are acceptable parts of residential developments. Furthermore, the proposed siting is in clear public view and as there is likely to be a management company responsible for maintenance, any issues could be addressed by the company/owner.

Parking and highways

The standards indicate that one bed dwellings should have 1 parking space and 2 bed dwellings have 2 spaces. However, the adopted parking standards indicate that for main urban areas a reduction to the vehicle parking standard may be acceptable, particularly for residential development. The proposal would result in 153 parking spaces on the overall site, of which 28 spaces would relate to the application building, i.e. at a ratio of 0.9 spaces per dwelling, within the car park and on the ground floor below the residential accommodation, a similar ratio to the parking provided for the flats in the converted Regent House.

Main urban areas are defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment. This site is located close to regular public transport services and on that basis the highway authority raises no objection to this level of parking provision and given that advice the planning authority raises no objection on this issue.

A representation requests the upgrade of the existing footpath through the woodland over third party land as an alternative route to the station. While this may be a benefit it has not been identified by the highways authority as being necessary to make the proposal acceptable and is not appropriate to require this upgrade to be carried out.

With regard to highways issues, the highways authority has considered the proposal following a site visit. It advises that the proposed development is not expected to generate a significant number of peak hour trips. While Hubert Road is a private road and does not form part of the highway no objections area raised subject to conditions. The highways authority raises no objection subject to five conditions to be imposed in the event of permission being granted.

Affordable housing

The proposal would provide 11 of the 31 flats as affordable units. This is a policy compliant 35%. The affordable units would be on the first and second floors. These are indicated to be a mix of social rent and intermediate and 6 x 1 bed and 5 x 2 bed units. The mechanism for agreeing and delivering affordable house will be a S106 planning agreement.

A comment made in representations that affordable housing is not welcome is noted, but the borough has a significant need for affordable housing and the provision of affordable housing for rent and shared ownership in this scheme to a policy compliant level is welcomed.

Noise

With regard to noise the Environmental Health team has not commented. However, in assessing noise it is noted that one of the few issues for consideration under permitted development changes of use of office to residential use (Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class O) is the impacts of noise from commercial premises on the intended occupiers of the development. This was judged to be acceptable when considering that

change of use and a similar judgement would be justified with regard to the impact of noise of the amenity of the occupiers of the new building.

With regard to noise concerns raised in representations, construction is potentially disturbing and can be controlled by submission and following a construction management plan which can be required by condition. There is no evidence that once occupied that the proposed development would give rise to particular noise issues in excess of that commensurate with other developments of similar size. The suggestion in representations of possible damage to vehicles during construction would be a matter the developer would need to take care of during construction. An advisory note is proposed to encourage the developer to follow the principles of the Considerate Constructors Scheme.

Housing land supply

The Council cannot demonstrate a five year housing land supply against its local housing need. As the Council cannot demonstrate a sufficient supply of housing land its planning policies relating to housing supply cannot be considered to be up to date. The comment that as other dwellings remain unsold the proposed dwellings are not needed is not supported in national assessments for need for new dwellings in the borough.

In the absence of up to date development plan housing supply policies, national planning policy states that the balance (in the decision making process) is tilted in favour of sustainable development and planning permission should be granted except where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This proposal for an additional 31 dwellings would make a significant contribution towards achieving the required level of provision. The proposal is considered to be acceptable even before considering the tilted balance, though it adds weight to the recommendation.

Landscape

Landscaping is a reserved matter so details will have to come forward as part of a reserved matters application prior to commencement. There is no proposal to remove trees as queried in representations.

Other comments raised in representations

Many representations comments about the timing of the application when the adjacent conversion was only partly occupied; that they did not know about the proposal when purchasing flat; not being provided with allocated/paid for parking spaces. None of these are planning issues. The application has been publicised in excess of normal requirements and the longer than standard period of determination has provided an opportunity for representations to be made. The issues of potential effect on property value and loss of view are also not planning issues.

In summary, the proposal is considered to be acceptable in planning terms and is recommended for approval.

7. Recommendation

The Application be APPROVED subject to completion of a Section 106 Agreement to secure the provision of affordable housing and to the following conditions:

1 U29331 Submission of Reserved Matters

Approval of the details of the appearance of the building(s) and the landscaping of the site that are reserved for later approval (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority before the development is commenced and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 TIM03 Standard Time Outline - 3 years

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 TIM04 Standard Time Outline - Time Limit

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from date of approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 U29334 Measures to avoid material overlooking

The reserved matters application relating to appearance shall be accompanied by details of the windows to the proposed building including details of the rooms they relate to together with mitigation measures to avoid material overlooking of residential properties in the locality. Furthermore this shall be accompanied by details of screens to balconies and roof gardens and how material overlooking would be avoided from those elements of the building. The development shall be carried out in accordance with the approved details.

Reason: To avoid material overlooking of residential properties.

5 U29335 Protection of trees

The reserved matters application relating to landscaping shall be accompanied by details of measures to protect the adjacent trees belt from damage from the development.

Reason; In order to protect the amenities of the site and the area in which the site is situated.

6 U29336 Construction Method Statement

A Construction Method Statement shall be submitted at the time of the reserved matters application for written approval of the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. measures to control the emission of dust and dirt during construction
- ii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of neighbour amenity.

7 U29337 Geometry of access

Prior to occupation of the development and as shown indicatively on Drawing no 180100-003 Revision A, the proposed site egress shall be constructed at right angles to the existing carriageway on Hubert Road and shall be provided with an appropriate dropped kerb vehicular crossing of the verge.

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

8 U29338 Visibility splay

Prior to occupation of the development and as shown indicatively on Drawing no 180100-003 Revision A, the proposed site egress at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 34 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the site egress is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the site egress and existing users of Hubert Road in the interest of safety.

9 U29339 Existing access closed

The existing site egress shall be suitably and permanently closed incorporating the reinstatement to full height of the kerbing immediately the proposed new site egress is brought into first beneficial use.

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

10 U29340 Cycle parking

Cycle 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 parking is provided in the interest of highway safety and amenity.

11 U29341 Travel packs

Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling as approved by Essex County Council.

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

Informative(s)

1 INF02

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below. The Council has had regard to the concerns expressed by residents but the matters raised are not sufficient to justify the refusal of permission.

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, CP2, H6, H9, H14, E1, T2, T5, PC4, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

4 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.

5 U06183

The developer is recommended to follow the principles of the Considerate Constructors Scheme.

6 U06184

Fire service informatives

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.

From the information available it appears that fire service vehicular access will require compensatory measures to address the requirements of the Building Regulations 2010. Such measures may take the form of the provision of an internal dry rising main. The main will consist of externally mounted inlet box and outlet valves at each floor level within the protected staircase / firefighting shaft. The inlet box will be located no further than 18 metres from the nearest pumping appliance

set down point and be clearly visible from the appliance (Section B5 Approved Document Fire Safety Volume 2 refers); as such, provided the criteria specified above or other acceptable arrangement is implemented then this Authority has no objection to the proposal.

As the development involves flats more detailed observations on access and fire fighting facilities for the Fire Service will be considered at Building Regulation consultation stage.

Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance". Approved Inspectors will consult with the Authority in accordance with Section 13 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

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Water Supplies

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

Sprinkler Systems

There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.

7 INF16

This planning permission is the subject of a planning obligation made under Section 106 of the Town and Country Planning Act and the developer must ensure that the provisions of that obligation are fully implemented.

Appendix A – Site Map