

**COMMUNITY CENTRE MAPLE CLOSE BRENTWOOD ESSEX CM13 2EA**

**DEMOLITION OF ALL EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE A COMMUNITY HALL (CLASS F2(B)), 9 NO. RESIDENTIAL UNITS (CLASS C3) LANDSCAPING, CAR & CYCLE PARKING AND ASSOCIATED INFRASTRUCTURE.**

**APPLICATION NO: 20/01809/FUL**

<b>WARD</b>	Brentwood South	<b>8/13 WEEK DATE</b>	2 February 2021
<b>PARISH</b>	<b>POLICIES</b>		
<b>CASE OFFICER</b>	Ms Tessa Outram	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	P001; P010 D; P005 C; P040 C; P032B; P031C; P030C; P021B; P020 E;		

**This report is an addendum to the application for planning permission; following a second neighbour re-consultation to some minor amendments made to the scheme, these include:**

- Reposition of plot 1/2 further south away from Orchard Avenue boundary and insertion of angled window to flank wall adjacent No.4 Maple Close
- Change of materiality of hall
- Removal of flat roof over houses and brickwork detail
- Addition of Juliette balconies to front of maisonettes
- Move away from air/ground source heat pumps to electric heating system
- Change to garden layout of 8/9

**This addendum seeks to address any additional neighbour representations that have been received in response to the changes.**

**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/>

Representations letters from six different residents were received as part of the second re-consultation, objecting to the proposed development. A majority of the objections relate to matters already covered and not the amended scheme. Notwithstanding this, the concerns arising from the objection letters include:

- Impact on daylight/sunlight to Orchard Avenue properties
- Obstructive views from lounge window to sky
- Replacement fence along rear boundary is not acceptable, who will maintain it
- Levels will make fence too low
- Impact on health/wellbeing and living conditions from new dwellings
- Cycle parking provision for hall is insufficient
- No visitor cycle parking
- too many houses, should be single storey
- access to rear of lime avenue will be blocked
- damage to fences from vehicle maneuvers
- noise and pollution from vehicles
- overshadowing to Lime Avenue properties
- landing of 8/9 should be obscure glazed
- disturbance from headlights
- rear access to 9 Lime Avenue
- distance to rear boundary less than 15m
- party wall notices required
- loss of privacy from new dwellings
- remove hall and keep play park
- Impact on property values/financial loss
- Public cannot attend committee due to covid19

### **Summary of Issues and Discussion**

Matters relating to daylight/sunlight and overshadowing have been addressed within the officer report. But in response to the neighbour comments are explained below in greater depth.

The 25-degree rule of thumb can be used as guidance to ascertain suitable daylight for neighbouring properties, which according to BRE standards is achieved when a 25-degree vertical angle taken from the lowest window is kept unobstructed. If the proposed development is taller or closer than this, daylight/sunlight/overshadowing may occur and the Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) may be impacted.

The development is not in breach of the 25 degree when measuring from the closest neighboring property No.25 Orchard Avenue. The 25-degree rule has also been applied

to other properties in Orchard Avenue that have rear extensions or conservatories and to properties a greater distance away in Lime Avenue. Upon assessment it is evident that the development is not in breach of the 25-degree rule in any instances, meaning views of the sky would be unobstructed and adequate daylight/sunlight would be achieved for all neighbouring properties.

A daylight/sunlight report has also been submitted as part of application which follows BRE standards, and provides more in-depth analysis of the impact on daylight/sunlight and overshadowing. BRE is not adopted by the Council but is nationally recognised best practice guidance for site layout planning in relation to sunlight/daylight and overshadowing. The report concludes that the proposal is acceptable and meets BRE guidance in relation to daylight and VSC for all affected properties in Orchard Avenue, Lime Avenue and Maple Close, as well as confirming that adequate sunlight for all affected south facing windows would be achieved. The report also concludes that all affected neighbouring gardens would receive over 90% of sunlight, well over the BRE guidance which considers 80% to be acceptable. Gardens within Lime Avenue are not south facing but would also not be adversely impacted by overshadowing in line with BRE standards, given the similar distances to the Lime Avenue rear boundaries and ridge line orientation.

#### Parking and Cycle Parking

The matters raised concerning insufficient parking have already been addressed in the officer report. The residential element of the scheme provides full compliance with the adopted parking standards, including visitor space provision and the community hall overprovides by 1 space in meeting the maximum standard.

In terms of cycle parking, each unit is provided with cycle storage and a secure private garden that can accommodate visitor cycles. The community hall provides 4 cycle parking spaces for visitors, there is no set requirement for cycle parking within the adopted parking standards where there are no full-time staff, and each scheme is assessed on its own merits in terms of visitor provision. In the absence of an objection from the highway authority, the cycle provision is considered acceptable, and any overspill from staff can be provided within the storage area inside the building.

#### Distances to boundaries and privacy

Matters relating to the rear boundary distances have been discussed in depth in the officer report and concluded in the planning balance, as well as matters relating to privacy. It was concluded in the officer report that the Essex Design Guide back-to-back distance guidelines of 25m can be met and therefore any mutual overlooking between windows is considered acceptable and the impact on the living conditions of neighboring occupiers would not be detrimental. Given this, it is not considered that the flank, communal landing window of plot 8/9 would be required to be obscured glazed, however obscure glazing this window would not pose any impact on the living

conditions of the future occupiers and therefore could be conditioned to be obscured as part of condition 18.

### Density and Typologies

Matters relating to density and dwelling typology have been discussed in the officer report and are considered acceptable and in keeping with the character of the area. The comments relating to single storey properties would alleviate issues of overlooking but would likely amount to other issues of viability and housing mix. Regardless, that is not what has been proposed and the application has been assessed by the local planning authority on its own merits.

### Boundaries, Access, and Vehicle Movements

Matters relating to the boundary treatments, including details of type and height will be secured and assessed via condition to ensure the boundary treatments are satisfactory and can provide adequate screening at ground floor level. Matters relating to maintenance and management is not a material planning consideration, but the development of Maple Close is to be managed by the Council, whom it is assumed would maintain the fences.

The scheme has been designed to ensure any rear accesses and covenants to Lime Avenue properties have been maintained and unobstructed. Furthermore, the vehicle layout is considered compliant with highway standards and is therefore not anticipated to amount to any issues of damage from inadequate maneuverability space.

Issues of noise and disturbance have been discussed within the officer report, no objections have been received from the Council's Environmental Health Department and conditions for opening hours of the hall will limit unacceptable noisy activities. The level of activity generated by the development is not anticipated to amount to an increased level of pollution and disturbance from vehicles, and the harm would not be worse than the existing situation, which already occupies garages and a community hall.

### Other Matters

Matters relating to party wall concerns and the retention of the play park have been covered in the officer report. The matter concerning property values and any personal financial loss as a result of the development is not a material planning consideration that can be afforded any weight. In terms of the representation in regard to being unable to attend committee due to covid19 restrictions. The Planning and Licensing Committee will be held online in which members of the public can attend virtually, and two consultation processes have been undertaken to ensure residents can voice their concerns.

## Conclusion

In conclusion, most of the representations received have already been covered in the officer report, however some have been explored in more depth in this addendum. In summary it is not considered the additional representations received would alter the recommendation to approve the development. The impacts on neighbour amenity and other matters identified have been considered but would not significantly outweigh the benefits of reutilising a brownfield site for residential and community purposes that would also provide much needed affordable housing. Therefore, in accordance with NPPF's presumption in favour of sustainable development, there is no clear reason for refusing the development and it should be approved, subject to the conditions outlined within the officer report and line with the requirements of a s106 agreement.