

SITE PLAN ATTACHED

2 - 8A HAREWOOD ROAD PILGRIMS HATCH ESSEX CM15 9PD

INSTALLATION OF PLANT TO REAR YARD AREA AND 2.5 METRE HIGH CLOSE BOARDED TIMBER FENCE ENCLOSURE.

APPLICATION NO: 21/01018/BBC

WARD	Pilgrims Hatch	8/13 WEEK DATE	30 July 2021
PARISH		POLICIES	NPPF, NPPG, CP1, PC4
CASE OFFICER	Mr Daryl Cook	01277 312500	
Drawing no(s) relevant to this decision:	3614-PL-04; 3614-PL-05; 3614-PL-03/B; E3949-CR3 (Refrigeration Feasibility Plant Layout); Plant Noise Impact Assessment (89793 rev 02);		

The application has been referred to Planning and Licensing Committee as the applicant and owner of the building/land is Brentwood Borough Council.

1. Proposals

Planning permission is sought for installation of plant to rear yard area and 2.5m high close boarded timber fence enclosure at 2-8A Harewood Road, Pilgrims Hatch, Brentwood. The plant consists of external x4 Air Conditioning units (AC) and refrigeration plant. The application is accompanied by a Noise Impact Assessment which sets out that the AC plant and the refrigeration plant will be located in two separate areas along the northern elevation. While the refrigeration plant will potentially operate 24 hours a day, the AC plant will only operate during store opening hours.

2. Policy Context

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Brentwood Replacement Local Plan 2005:

- Policy CP1 General Development Criteria
- Policy PC4 Noise

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF).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

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

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

3. Relevant History

- 21/00269/BBC: Removal of internal partitions between existing shops to create one single shop with alterations to shop fronts, installation of a ramp to the rear elevation, raise flat roof to the rear of the store and minor alterations to include the infilling of existing openings - Application Permitted
- 21/01019/ADV: 1 x Co-op non illuminated Fascia sign, 2 x Co-op internally illuminated fascia signs, 1 x Post Office internally illuminated projecting sign, 1 x Post Office Service Menu Board non illuminated and 2 x Co-op logo internally illuminated projecting signs. – Pending Consideration

4. Neighbour Responses

This application has been advertised by way of neighbour notification letters (6 total) and public site notice. At the time of writing this report, no representations have been received.

5. Consultation Responses

- **Environmental Health & Enforcement Manager:**

The Noise Impact Assessment has taken into consideration noise levels for the two closest receptors. The predicted noise levels are at or below background noise levels, suggesting there should be no adverse impacts to the closest residents. Therefore, Environmental have no objections to the application. However, Environmental Health would like to suggest that the air conditioning and refrigeration units, which are part of the rear plant, should be regularly serviced, ensuring they are well maintained to avoid unanticipated tonal or impulsive noise.

6. Summary of Issues

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

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

- Effect of the proposal on the character and appearance of the area.
- Effect of the proposal on the amenity of neighbouring occupiers.

The application site is an existing terrace of shops (Use Class E) and is situated on a corner junction shared with Clarence Road and Harewood Road. The site area is 460sqm. The surrounding area is primarily residential with a mixture of building typology. The application building is single storey and features a tall, hipped roof profile with a rear service yard and paved frontage.

A revised drawing has been received amending the fenestration on the rear elevation to ensure consistency from previous amendments to the alterations to the shop (see below).

Relevant Planning History

This application follows on from that previously considered by the Planning and Licensing Committee for the alterations to the shop; reference 21/00269/BBC decision dated 30th June 2021 (Removal of internal partitions between existing shops to create one single shop with alterations to shop fronts, installation of a ramp to the rear elevation, raise flat roof to the rear of the store and minor alterations to include the infilling of existing openings).

Design, Character and Appearance considerations

Policy CP1 is supportive of development proposals provided they protect the character and appearance of the surrounding area, protect the amenities of neighbours, are of a high standard of design and provide satisfactory access and parking which can be accommodated by local highway infrastructure.

The proposed plant and fencing (2.5m high) would be located to the rear of the building. The height of the fencing would provide screening from the public realm and help to mitigate any noise emission.

The positioning and amount of the plant being proposed is considered reasonable and proportionate in respect of the use of the building following alterations to enlarge the existing Co-Op. On that basis, the proposed development would not be harmful to either the character and appearance of the area; nor visual amenity, in accordance with policy CP1 (i) and (iii) of the Brentwood Replacement Local Plan (BRLP) and the National Planning Policy Framework 2019 (NPPF).

Environmental Health and effect on residents living conditions

In respect of neighbour amenity, dwellings to the north along Balmoral Road (Nos 9 through 15 [odds]) and the one to the east, No.10 Harewood Road are the closest and therefore the likeliest to experience any effect of the development. The location of the plant is set away from boundaries shared with the neighbouring dwellinghouses. The distance between the plant and the houses, together with the fencing, is considered sufficient to ensure that the proposed plant would not result in an overbearing form of development.

In terms of noise and general disturbance, a noise impact assessment accompanies the application, and has been reviewed by the Councils Environmental Health

department. In summary, it considers that any noise arising from the plant is of an acceptable level so as not to be harmful to neighbours living conditions.

Based on the comments from the EH department the proposal is considered acceptable. In respect of maintenance of the plant, it is reasonable to expect the developer to ensure the ongoing servicing of the units for efficiency and compliance with other legislative requirements in relation to food handling; an informative can be added to any decision.

Therefore, it is considered the proposed development would comply with policies CP1 (ii) and PC4 of the BRLP and the aims and objectives of the NPPF.

Conclusion

The proposed development, for the reasoning outlined above, is considered to be compliant with policies CP1 and PC4 of the BRLP and is therefore recommended for approval subject to conditions outlined below.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

Informative(s)

1 INF01

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

2 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends

on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

3 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, PC4, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

4 INF22

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

5 The air conditioning and refrigeration units, which are part of the rear plant, should be regularly serviced, ensuring they are well maintained to avoid unanticipated tonal or impulsive noise.

BACKGROUND DOCUMENTS

DECIDED:

