

SITE PLAN ATTACHED

SHENCOT ALEXANDER LANE HUTTON BRENTWOOD ESSEX CM13 1AG
DEMOLITION OF EXISTING PROPERTY AND CONSTRUCTION OF NEW
BUILDING CONTAINING FIVE NEW TWO BED DWELLINGS

APPLICATION NO: 23/00411/FUL

WARD	Hutton North	8/13 WEEK DATE	26 May 2023
PARISH		EOT DATE	TBC
CASE OFFICER	Mr Daryl Cook		

Drawing no(s) relevant to this decision: Specification for Soft Landscape Works and 5 Year Management Plan; 18294-NEA-01 (Noise Exposure Assessment); Material samples document by Spatial Design Architects; Flood Risk Assessment by Urban Water (146-FRA-002); Construction Method Statement Rev A by Spatial Design Architects; P03/A; S01; P01/A; P02/B; OS 2568-23.1/A; OS 2568-23.2/A;

This item was initially referred to July 2023 Committee by Cllr Jan Pound for the following reason:

Policy BE:13 Parking Standards states that proposals which make under provision of parking in respect of the Essex Parking Standards should be justified by evidence detailing the local circumstances that justify deviation from the standard. Whilst the site is located near to Shenfield there is clear evidence submitted by local residents in opposition to the application that Alexander Lane is already suffering from dangerous on street parking that is resulting in Highways Safety issues. Coupled with the need for deliveries and workman to service the building this application will result in further highways safety issues for Road users and should be rejected for this planning reason. There is no evidence that the normal parking requirements can be reduced without causing these safety issues.

Members will recall that the committee voted on a proposal to refuse the application which was lost; it then voted on a proposal to approve the application, which was also lost. The committee then voted on a further

proposal to approve the application which was carried on the Chairman's casting vote.

The monitoring officer has advised that this item be added to the agenda to allow the committee to consider its resolution.

Legal Advice on the matter for Members benefit (below), is given below, and a Legal representative will be available on the night.

'In terms of the matter coming back to committee each and every member will need to consider whether they are predetermined or whether they can come to the committee with an open mind. They will each need to consider themselves whether there is by their conduct any appearance of bias or predetermination that could lead a member of the public to cast doubt on their impartiality in taking part and voting on the matter.

Each member needs to be clear that they attend the committee to consider the matter with an open mind and is not predetermined irrespective of their previous involvement in the last planning committee.

I have provided training to members and they all need to re-read Probity in Planning (link - <https://www.local.gov.uk/publications/probity-planning-advice-councillors-and-officers-making-planning-decisions>)'

At the time of writing this report, no further changes to the proposal have been made. Therefore, the development and the contents of the report below are unchanged from the earlier committee report.

1. Proposals

Planning permission is sought for the demolition of existing property and construction of new building containing five new two bed dwellings at Shencot, Alexander Lane, Hutton.

2. Policy Context

National Planning Policy Framework 2021 (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG)

Brentwood Local Plan (2016-2033) (BLP):

- Policy BE02 Water Efficiency and Management

- Policy BE04 Managing Heat Risk
- Policy BE05 Sustainable Drainage
- Policy BE07 Connecting New Developments to Digital Infrastructure
- Policy BE11 Electric and Low Emission Vehicle
- Policy BE12 Mitigating the Transport Impacts of Development
- Policy BE13 Parking Standards
- Policy BE14 Creating Successful Places
- Policy HP06 Standards for New Housing
- Policy MG03 Settlement Hierarchy
- Policy NE01 Protecting and Enhancing the Natural Environment
- Policy NE03 Trees, Woodlands, Hedgerows
- Policy NE07 Protecting Land for Gardens
- Policy NE09 Flood Risk
- Policy PC10 Protecting and Enhancing Community Facilities

The Brentwood Local Plan 2016-2033 was adopted as the Development Plan for the Borough on 23 March 2022. At the same time the Brentwood Replacement Local Plan, August 2005 (saved policies, August 2008) was revoked.

3. Relevant History

- 21/00451/FUL: Demolition of existing house and construction of new building containing 3no x 1 bed flats and 2no x 2 bed flats - Application Refused
- 21/02027/FUL: Demolition of existing property and construction of new building containing five new dwellings - Application Permitted

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/>

This application has been advertised by way of neighbour notification letters on two occasions. At the time of writing this report, 8 neighbour representations have been received following the first round of consultation and are summarised below:

- Impacts upon the highway network and safety of its users (visibility, inadequate parking provision on site, whether a reduction in parking is acceptable)

- Vehicles forced to park on the road would have changed the visual nature of the lane
- Proposal would intercept a 45-degree angle (first floor)
- The footprint and mass is larger than the existing plot; bulkier form than the previous application
- The timing of the submission limits the time period for neighbours to comment (Easter break)
- The provision of flats is changing the character of the street from family homes. The Council should protect the local family environment
- Additional dwellings (flats) place pressure on local amenities, doctors, schools and the use of the road network
- Impact of the development on the amenities and living conditions of neighbouring properties occupiers (noise, smell, overbearing, overlooking, loss of privacy, daylight/sunlight impacts, effects on rights to light)
- Bin store location would create a health risk to pedestrians
- Previous representations have been ignored / failed to be addressed
- The application should be discussed at Committee
- Inaccuracies within the submission (elevations labelled incorrectly)

Any further representations received within the second round of consultation and prior to Committee will be submitted/presented as an addendum to this report.

5. Consultation Responses

- **Environment Agency-**

Thank you for your consultation dated 04 April 2023. We have reviewed the documents as submitted and we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. A condition and informative is recommended.

- **Anglian Water Services Ltd-**

No response received at the time of writing this report.

- **Arboriculturalist-**

The silver birch that was covered by a TPO and growing in the rear garden was removed with permission and the Order has been revoked.

The landscape scheme that has been submitted with the application includes 6 new birches as part of the planting scheme. The landscape scheme is considered realistic based on the space that is available.

There is no objection on landscape grounds to the proposal.

- **Basildon Fire Station-**

No objections raised. Conditions and Informatives recommended.

- **Highway Authority-**

The information that was submitted in association with the application has been fully considered by the Highway Authority.

The proposal includes the demolition of the existing dwelling and creation of 5 flats. The existing vehicle access will be utilised, and 3 off-street parking spaces and a shared turning area are included, this is comparable to the permitted extant use.

A reduced car parking standard has been applied. Brentwood Borough Council's adopted parking standards state that "for main urban areas a reduction to the vehicle parking standard may be considered, particularly for residential development." The local highway network is protected by parking restrictions and in transport terms the site is considered to be in a sustainable location with good access to frequent and extensive public transport, as well as Shenfield's facilities and car parks, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions. Informative recommended.

- **Environmental Health & Enforcement Manager-**

No objections raised. Conditions and Informatives recommended.

- **Thames Water Development Planning-**

Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

6. Summary of Issues

The starting point for determining a planning application is the Development Plan, in this case the Brentwood Local Plan 2016-2033. 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 include the NPPF and 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.

Planning permission is sought for Demolition of existing property and construction of new building containing five new two bed dwellings at Shencot, Alexander Lane, Shenfield.

Procedural matters

A revised drawing (P02/B) has been submitted to correct a mislabeling of the elevations and an amendment to the Construction Method Statement to reflect standardised working hours on sites. A further set of revised drawings have been submitted amending the location of the bin store to the rear enabling the retention of 4 parking spaces to the front plus alterations to the windows on the flank of the building. A further period of consultation has been undertaken following receipt of the further set of drawings.

Site context

The application site is located within Alexander Lane, a residential area characterised by a mix of both detached dwellings within spacious plots and blocks of flats – such as the adjacent site Grasmere. The site comprises an area of 0.07 hectares with a single dwellinghouse.

Recent Planning History

Planning permission has recently been granted (reference 21/02027/FUL) for: Demolition of existing property and construction of new building containing five new dwellings. The principle of redevelopment of this site has therefore been established and this is a material planning consideration.

The application is similar to that previously approved (which carries significant weight) with 5 x two-bedroom flats proposed. The supporting Planning Statement summarises the changes as:

- *The installation of a lift to provide inclusive and accessible units;*
- *A reduction from 4 to 3 car parking spaces following issues with the layout as consented; **(now amended to retain 4 spaces)***
- *The provision of the refuse storage behind the existing hedge, following issues with the location shown on the approved drawings; **(now amended to be located to the rear)***
- *An enlarged roof, with crown and pitched ridges, to follow the design aesthetic of Grasmere;*
- *A revised front gable elevation to match the roof pitch;*

- *A shallow rear gable projection, ensuring that there is no overbearing impact on neighbouring properties, following the aesthetic of Grasmere;*
- *The reduction in dormers to the side roof slopes;*
- *An improved internal layout for Flat 5, to accommodate a two-bedroom flat;*
- *The provision of enlarged cycle parking storage within the rear;*
- *The provision of an electric car charging point;*
- *General improvements to the internal layouts of proposed flats.*

The submission incorporates additional information to ensure pre-commencement conditions (and others) are avoided, where possible, to allow for development to progress on site.

Consistency in decision-making

Members are reminded that National Planning Practice Guidance (NPPG) advises that similar cases should be determined in a consistent manner and failing to do so may amount to unreasonable behaviour giving rise to a substantive award against a local planning authority. Planning authorities must behave equitably between applicants and must be seen to do so.

Caselaw on this point includes:

- *R (Midcounties Co-Operative Limited) v Forest of Dean District Council [2017] EWHC 2050*
- *Baroness Cumberlege v Secretary of State for Communities & Local Government [2017] EWHC 2057*

These two court decisions emphasise the need for consistency in planning decision-making, especially when assessing similar developments. This is not so onerous so as to mean all previous decisions (at the site or nearby) must be considered. However, it is clear that there are instances where decisions are so similar that to fail to take them into account would be nothing but unreasonable.

Change of Use considerations

The principle of the change of use has been established and would comply with policy PC10 of the BLP. The proposal would continue to provide flats which comply with the nationally described space standards (policy HP06 of the BLP).

Design and Amenity considerations

The proposal incorporates a deeper footprint to enable layout changes and which would also incorporate the installation of a central lift. Roof alterations are also proposed incorporating two dormers with one on each flank. The changes are considered to replicate form of the adjacent Grasmere, and this is considered to be acceptable. Unfortunately, this would result in the provision of a crown roof feature, but this is not dissimilar to adjacent buildings and the pitched roof with set down would screen this element from public views. The building would remain set down (albeit marginally) from Grasmere still providing a transition in building heights which is welcomed.

Alterations to the bin store and cycle storage as illustrated are also considered to be acceptable.

In terms of impacts upon neighbouring properties, the buildings footprint would not result in the interception of a 45-degree line which is measured from the ground floor rear windows (as illustrated on the proposed drawings). This is considered to be acceptable. The overall height (9.43m) is considered to be acceptable and not dissimilar to that previously approved (~430mm higher). The roof form hips away from both neighbouring boundaries and therefore the proposal is not considered to give rise to a material overbearing effect or overshadowing effects. In addition, it has previously been established that the fenestration pattern would not give rise to a material overlooking or loss of privacy effect to neighbouring properties subject to an obscure glazing condition. Overlooking would not be materially worse than what would be expected of a residential dwelling within an established urban setting and layout. Nor is the proposal as a whole considered to give rise to a material impact in terms of noise, smell or general disturbance. Therefore, the proposal is considered to continue to comply with policies BE14 and NE07 of the BLP.

Highway and Parking considerations

In terms of parking provision, the proposal has been amended to retain 4 parking spaces which mirrors that of the extant scheme. An electric vehicle charging point is also proposed to serve these spaces.

The Highway Authority have been consulted and consider the proposal to be acceptable as a whole. The site is located within Settlement Category 1 (see policy MG03) which covers the main urban area of Brentwood. Within such areas, there are a range of existing infrastructure, services and opportunities for employment, retail, education, health and leisure facilities. Areas are typically highly accessible and well served by public transport provision. This provides scope for a reduction in car parking standards.

The site is in a highly sustainable location with frequent access to rail services and good bus links. Cycle storage is also accommodated and therefore when considering these factors, reliance upon private motor vehicles can be reduced. The reduction in parking

provision is acceptable in order to encourage more sustainable modes of transport being utilised.

Whilst the concerns of the Ward Member and neighbours are noted, it was previously noted within the Officer report of the extant application that: *“Illegal parking activities such as parking on grass verges or across existing driveways goes beyond the scope of planning.”* There are parking restrictions in place along this road and it is the responsibility of the designated parking enforcement team, which is understood to be SEPP, to monitor and patrol non-compliance.

The referral reason also considers that the need for deliveries and workman to service the building as a further concern, although like visitors they would need to adhere to existing parking restrictions in place. Whilst disruption during the construction phase is inevitable, planning permission should not be refused on this basis. The applicant has submitted a Construction Method Statement which considers parking of site operatives/visitors, loading and unloading of plant/materials and its storage, wheel washing facilities, measures to control the emission of dust/dirt through construction as well as recycling of waste and hours in which work and deliveries are to take place. These measures are all considered to be acceptable and as an approved document, will need to be adhered to.

The proposal is considered to accord with policies BE11, BE12 and BE13.

Flood Risk considerations

In terms of flood risks, it has previously been established that whilst the site falls within fluvial Flood Zone 3a and the use would be classified as “more vulnerable”, the proposed use would be acceptable and does not materially change from the previous assessment. The proposal would accord with local policy NE09.

Landscaping considerations

In terms of landscaping, a landscaping plan has been submitted which would see new trees planted (including a silver birch replacement) and is confirmed by the Councils Arboriculturalist to be acceptable. The proposal is considered to accord with policies NE01 and NE03 of the BLP.

Other Matters

All representations received have been fully considered prior to making a recommendation on this application and informatives are brought to the developer’s attention. Other considerations raised are commented upon below:

- Objections in relation to 'Rights of Light' is presumed to be in reference to a legal protection of natural light. This issue is covered by a paper written by The Law Commission in March 2012 – *Rights to Light*. Easements of light, for which the term "rights to light" is a synonym, are private property rights. Not all buildings benefit from this right and for those that do, this is sometimes covered by the law of prescription i.e. a right gained through the passage of time. They are not about the treatment of light by the planning system which considers the impact of development upon the daylight and sunlight experienced by neighbouring buildings and their occupiers. Therefore, this issue is fundamentally a civil matter beyond the scope of planning.
- The Council have complied with the requirements to notify neighbours about the proposed development through the sending of notification letters and considering any representations received up until determination.
- In terms of pressure upon existing infrastructure and services, the infrastructure delivery plan takes into account windfall sites across the local plan period ensuring there is sufficient infrastructure across the borough as a whole.

Conclusion

Following the submission of revised drawings, Officers consider that the effect of the development as proposed is considered to be identical to the previously approved scheme in terms of its effect on the character and appearance of the area and in terms of its impact upon the highway network.

Therefore, having considered the relevant material considerations, the proposed development is considered to accord with the development plan as a whole and is recommended for approval.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

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

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

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved documents 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 The relationship between the height of the building hereby permitted and adjacent buildings shall be as indicated on the approved drawings.

Reasons: To safeguard the character and appearance of the area, the living conditions of nearby residents and for the avoidance of doubt.

4 The proposed development shall be carried out in full accordance with the Flood Risk Assessment reference 146-FRA-002 dated 15/11/2021 by Urban Water and the following mitigation measures detailed within the FRA (unless otherwise agreed in writing by the Local Planning Authority):

o Provision of compensatory flood storage in accordance with the Flood Risk Assessment referenced above. Detailed drawings, calculations and cross sections of the proposed compensatory flood storage area, appropriate flow routing and topographic level information must be submitted to demonstrate that lost storage will be replaced at the same level at which it is lost and that flood water will return to the river as water levels fall. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In order to mitigate and reduce the risk of flooding which would otherwise be to the detriment of the proposed development and future occupants in accordance with policies BE05 and NE09 of the Brentwood Local Plan and the aims and objectives of the National Planning Policy Framework.

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

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

6 Prior to first occupation of the development, the vehicle parking area and associated turning area shall be provided as shown in approved drawing: P01/A. Each parking space shall have minimum dimensions in accordance with current parking standards. The vehicle parking area and associated turning area shall be retained in the agreed form at all times.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety and to ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

7 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, approved by Essex County Council, 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

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no satellite dishes or aerials shall be fixed to the building hereby permitted without the prior written approval of the local planning authority.

Reasons: in the interests of visual amenity and to safeguard the character of the area.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no alterations shall be made to the fenestration pattern hereby approved including the enlargement of window openings or the provision of roof lights or dormer windows.

Reasons: in order to safeguard the amenities and living conditions of neighbouring dwellings occupiers.

10 WIN03 Obscured glazing (on drawings)

The windows identified on the approved drawings as being obscure glazed shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The window(s) 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 and non-openable. (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.

11 No plant or machinery shall be installed on the building until the details of any plant and machinery to be installed on the building hereby permitted have been submitted to and approved in writing by the local planning authority. If proposed, the details shall be accompanied by an acoustic report carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014 'Methods for rating and assessing industrial and commercial sound' ensuring the rating level it is at least 5 dB below the background level. The development shall be completed in

accordance with the approved details and no plant or machinery shall be used at the site, other than that which has the prior written consent of the local planning authority.

Reasons: in the interests of visual and neighbour amenity and to safeguard the character of the area.

12 The proposed building shall not be occupied until the infrastructure for the fastest available broadband connection installed on an open access basis has been provided for the future occupants of the residential units.

Reason: in order to ensure that new developments are connected to digital infrastructure in accordance with policy BE07 of the Brentwood Local Plan.

13 The proposed residential units shall not proceed above slab level until details of:

- measures to ensure that the residential units do not exceed 110 litres per person per day;
- measures to provide wastewater infrastructure capacity;
- measures to achieve lower water consumption rates and to maximise futureproofing;
- measures to demonstrate the development would not have an adverse impact upon the sewerage network; and
- measures to improve water quality and protect the quality and functioning of existing water courses/groundwater.

have been submitted to and approved in writing by the Local Planning Authority. Where adverse impacts are identified, mitigation measures shall be set out. The development shall be implemented as approved.

Reason: in order to ensure that the proposed development incorporates the sustainable principles in relation to policy BE02 of the Brentwood Local Plan.

Informative(s)

1 INF02 Reason for approval (objections)

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 in representations, but the matters raised are not sufficient to justify the refusal of permission.

2 INF04 Amendments to approved scheme

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

3 The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE02, BE04, BE05, BE07, BE11, BE12, BE13, BE14, HP06, MG03, NE01, NE03, NE07, NE09, PC10; National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

4 INF22 Approved Following Revisions

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 INF29 Party Wall Act

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/guidance/party-wall-etc-act-1996-guidance>

6 Highways informative:

- o 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.

- o 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.

- o The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org.

7 INF32 Environmental Health Informative

When carrying out building work, you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction which shall be complied with. Notwithstanding, the developer is reminded to ensure compliance with the requirements of the Control of Pollution Act 1974. Prior permission must be sought for all noisy demolition and construction activities outside of core hours on all sites. If no prior permission is sought where it is required, the Authority may serve a notice on the site/works setting out conditions of permitted work under section 60 of the Act. British Standard 5228:2014 'Code of practice for noise and vibration control on construction and open sites' has been recognised by Statutory Order as the accepted guidance for noise control during construction work. An action in statutory nuisance can be brought

by a member of the public even if the works are being carried out in accordance with a prior approval or a notice.

The developer is also reminded that, where applicable, during the construction phase on the building site, no bonfires should be undertaken. The Environmental Protection Act 1990 outlines that smoke arising from bonfires can be considered a statutory nuisance. The Highways Act also outlines smoke drifting onto a public highway is an offence.

The developer is also reminded, where applicable, to ensure that any asbestos containing materials within existing buildings is removed by an appropriately licensed contractor before undertaking any development on site in the interests of health and safety.

8 INF33 Considerate Contractor Advice Note

Considerate Contractor Advice Note - The developer is advised to ensure full compliance with the 'Guidelines for good practice' when undertaking construction and demolition works during the relevant phases. A copy of the guidelines is available online: https://document.brentwood.gov.uk/pdf/pdf_1185.pdf.

9 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.

10 Environment Agency Informative:

The developer is advised to peruse the consultation response in full. The following extracts are brought to the developers immediate attention:

Culverted Main River Watercourses:

One or all of these properties under riparian law will be responsible for the culverted main river watercourse underneath the driveway/access bridge. We permissively assist landowners in maintaining this section of main river watercourse (Shenfield Brook) but ultimately ownership and liability falls to landowners which is not us in this area.

Environmental Permit for Flood Risk Activities:

The applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. The Tributary of River Wid, is designated a 'main river'.

Application forms and further information can be found at:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. It is an offence to carry out these activities without a permit where one is required.

BACKGROUND DOCUMENTS

DECIDED: