

SITE PLAN ATTACHED

07. 149C -151HIGH STREET BRENTWOOD ESSEX CM14 4SA

**CONVERSION OF OFFICES INTO 6 X 2 BEDROOM FLATS AND
CONSTRUCTION OF AN ADDITIONAL STOREY TO PROVIDE AN
ADDITIONAL 2 BEDROOM FLAT.**

APPLICATION NO: 14/00648/FUL

WARD	Brentwood West	8/13 WEEK DATE	04.08.2014
PARISH		POLICIES	NPPF NPPG CP1 C14 T2 H5 H6 TC3 TC4
CASE OFFICER	Charlotte Allen		01277 312536
Drawing no(s) relevant to this decision:	1:1250 ; 04A; LOCATION PLAN; DESIGN & ACCESS STATEMENT; E01; E02; P01/A; P02/A;		

This application was referred by Cllr Chilvers from Weekly Report No 1652 for consideration by the Committee. The reason(s) are as follows:

This application is recommended for refusal on the grounds of poor design and, as ward councillor, I am not entirely comfortable with this and feel it would benefit from a discussion at the planning committee. I would be grateful if illustrations of the questionable materials and design could be clearly shown to the committee so an informed judgement could be made on this town centre application.

Update since publication of Weekly List 1652

Since the Officers Report was published on the weekly list, two additional letters of support have been received.

1. Proposals

Planning permission is sought for the change of use of the ground, first and second storey offices into residential flats. It is proposed to provide 7 2-bedroom flats in total; 2 flats on the ground floor, two flats on the first floor, two flats on the second floor and it is proposed to build an additional storey to provide an additional, seventh flat with an outside terrace. The works have already commenced on site and as such the proposal is part retrospective. Balconies are to be provided to the front and rear of the site. The rear projection of the existing building has been demolished and 7 parking spaces are proposed to the rear of the site with bin storage in the north-eastern corner of the site.

A brick and cladding sample have been submitted with the proposal; the application form indicates that the brick to the front constitutes wienerberger bramshaw buff bricks with render to the rear and red cedar timber cladding with rubber roofing and aluminium windows and doors.

2. Policy Context

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. This Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The National Planning Practice Guidance (NPPG) is a material consideration in the determination of this application.

Local Plan Policies

CP1 - General Development Criteria

C14 - Development Affecting Conservation Areas

T2 - New Development and Highway Considerations

H5 - Changes of Use of Upper Floors

H6 - Small Unit Accommodation

TC3 - Mixed Use Development

TC4 - Use of Upper Floors above Commercial Development

3. Relevant History

- 14/00117/FUL: Change of use and creation of 2 no. two bedroom apartments on the existing ground floor 2 no. two bed roomed apartments on the existing first floor, 2 no two bed roomed apartments on the existing second floor and the addition of an extra floor to the building to create 1 no. two bedroom apartment on the new third floor (revision to planning permission 13/00395/FUL).
-Application Withdrawn
- 13/00395/FUL: Change of use of first and second floors and erection of roof extension to form 2 x 1 bed and 2 x 2 bed units including demolition of part of ground floor to rear to improve vehicular circulation. -Application Permitted

4. Neighbour Responses

17 neighbour letters were sent out, a site notice displayed and the application advertised in the press. 1 neighbour representation has been received which supports the application:

- Was the offices of a property company who vacated many years ago and the building started to deteriorate and decay and was an eyesore.
- Apparent that there was no interest for commercial letting's as an office.
- Residents pleased when current work began to turn the redundant building into something we can admire.
- Developer has worked with local people.
- Sympathetic design.
- High quality finish in yellow bricks to compliment the London yellow stocks of 153 High Street and the Victorian residences in Tower Hill.
- No objections have been raised by the statutory consultees.
- Support changes requested.

5. Consultation Responses

- **Highway Authority:**

Although the proposed vehicle parking layout within the site is not ideal, the Highway Authority would not wish to raise an objection to the above application, subject to the following conditions being attached to any approval, given the existence and previous use of the site, its location with good access to frequent and extensive public transport, town centre facilities and car parks, and Brentwood Borough Council's adopted parking standards.

1. The development shall not be occupied until the proposed vehicle parking area has been hard surfaced, sealed and marked out in parking bays in accordance with Drawing No. 1171/1. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To provide appropriate vehicle parking in the interest of highway safety and amenity.

2. The development shall not be occupied until the Developer has provided a Residential Travel Information Pack for sustainable transport, approved by Essex County Council's Travel Plan

Team, with information covering local public transport travel and including six one day travel vouchers for use with the relevant local public transport operator, to each proposed dwelling.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative

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. CM13 3HD.

- **Anglian Water Services Ltd:**
- **Historic Buildings And Conservation Officer:**
Significance

149C to 151 High Street Brentwood is a prominent site located on the north side of Brentwood High Street at the west end of the Brentwood Town Centre Conservation Area. The Conservation Area appraisal states 'The town owes its origins to the long straight Roman road round which it has grown up. Thus its main component is the long ribbon development down the High Street, the settlement centre being defined by road junctions, reinforced at the west end by the break in slope as the road drops down to Brook Street.' It is at this slope towards Brook Street that the site presides; most significantly its position abutting a late 19th century 2 storey symmetrically fronted brick building.

Proposal

Conversion of office to residential, plus one additional unit above.

Background

I originally gave advice in respect of 149c to 151 High Street for the application (ref. 13/00395/FUL). My consultee comments included concerns for the additional storey and balcony treatments. After a series of design discussions and revisions I had no further objections on Conservation Grounds for the highly prominent site which is in close proximity to the Listed building of Bennets, and adjacent to the Brentwood High Street Conservation Area. It was determined that high quality detailing and engineering would be apportioned to the modern form with frameless balustrade and the horizontal emphasis for the fenestration was to be retained.

Discussion

It is evident from a site visit that the approved scheme under planning ref: 13/00395/FUL has not been implemented, nor has the discharge of any Conditions of planning been submitted. This is a retrospective application.

My concerns regarding this application culminate from the stark contrast of what has been built out to the permitted scheme; there has been no regard for the context of site and its sensitivities in terms of its proximity to the statutory designated heritage asset of the Conservation Area.

In terms of Good Design as per National Policy, this is not evident. The architectural narrative is lacking and the approach to detailing cumbersome. The material palette selected is not suitable, for example the rendered form is presently clad with a skin of brickwork; I would advise the form should have remained rendered and true to its Modernist origins. The horizontal banding of the openings have been removed and replaced with an attempted pastiche. The detailing and engineering of the upper storey and balustrades have lost their finesse as evidenced in the design intent visual from the approved application.

During the process of assessing this application I have attending regular design meetings with the planning officer to relay advice to the Project Architect who has been appointed by the applicant to regulate both the breach of planning and the breach of planning conditions.

Summary

Having reviewed the information within this application it is evident there are fundamental design issues which need to be addressed, due to the extent of this planning breach I am unable to support this application.

Recommendation

Consequently I recommend refusal.

- **Essex & Suffolk Water:**

We have no objection to the proposed development.

We would advise you that our existing apparatus does not appear to be affected by the proposed development. We give consent to this development on the condition that a metered water connection is made onto our Company network for each new dwelling for revenue purposes.

As the development involves conversion of a property, the following applies:

Essex & Suffolk Water are the enforcement agents for The Water Supply (Water Fittings) Regulations 1999 within our area of supply, on behalf of the Department for the Environment, Food & Rural Affairs. We understand that a planning application has been made for the above premises which are Notifiable under Regulation 5 of the Water Supply (Water Fittings) Regulations 1999. Please see the copy of the Water Regulations Information Sheet No. IS - 0014 attached for more detailed information.

- **Environmental Health & Enforcement Manager:**

This service has no observations on this application.

6. Summary of Issues

The application site is located on the northern side of High Street and is occupied by a terraced building that was previously utilised as commercial offices. Construction has already started on this development.

Background Information and History

Planning permission was previously granted (ref. 13/00395/FUL) for the change of use of the first and second storeys and for the construction of a roof extension to form 2 x 1-bed and 2x 2-bed units, including the demolition of part of the ground floor to the rear, subject to conditions. However, the development that has been undertaken to date at the site is not in accordance with this approval and the details reserved by condition are yet to be submitted.

A subsequent planning application was submitted ref. 14/00117/FUL for the change of use and creation of 7 2-bed flats. This application was withdrawn before a formal decision made, however, the application was recommended for refusal by Officers for the following reason:

The design, form and position of the proposed fenestration on the front elevation of this building is unsympathetic with, and creates an unsatisfactory visual relationship to the adjoining Victorian Villa and surrounding area including the Brentwood Town Centre Conservation Area contrary to the requirements of Chapter 7 of the NPPF, paragraphs 15, 20 and 21 and the Design Section of the NPPG and CP1, C14 of the Brentwood Replacement Local Plan.

Since the withdrawal of this application Officers have been working with the Agent through pre-application to overcome the previous concerns raised. Concerns were raised at an early stage with regard to the scheme submitted and the subject of this application. However, no amended plans have been submitted.

This proposal includes a number of similarities to the previously withdrawn scheme, including similar fenestration to the front elevation, although elements such as the materials and balconies to the front elevation have been altered.

It is worth noting that the approved application (ref. 13/00395/FUL) was approved following detailed discussions and negotiations between Officers, including the Design and Historic Buildings Consultant and the then Agent.

The main issues to be considered in the determination of this application are the principle of the development, including the loss of B1 use, impact on the character and appearance of the host building and surrounding area, including the adjacent Conservation Area, residential amenity, living conditions and parking and highway considerations.

The principle of the development

The site is located within an area designated for residential/office/shop [H4, H5, TC3, TC4] purposes. These policies promote mixed use developments within the main shopping/Town Centre locations. This proposal does not seek a mixed use; rather the entire building will be used for residential purposes, unlike the previous approval (ref. 13/00395/FUL) which sought to retain the office use at ground floor level.

No marketing evidence has been submitted with this application, however, it is noted that it was submitted with the previous application and the Design and Access Statement submitted with this application indicates that the offices were vacant from 31st August 2007. The information previously submitted was considered acceptable by Officers and the principle of converting all the offices to residential was accepted, especially given that Paragraph 51 of NPPF states that Local Planning Authorities (LPAs) should identify and bring back into residential use empty housing and buildings. They should normally approve planning applications for changes of use to residential uses and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

Given this and the fact that the previous use was offices and as such are unlikely in themselves to attract shoppers to the town centre, it is not considered that the loss of the commercial offices at ground floor level would harm the vitality of the Town Centre.

No objection is therefore raised to the principle of converting the entire office building into residential units, subject to other factors such as design and residential amenity.

In terms of the Council's housing Policies, the proposal which seeks to provide 7 2-bedroom units is in accordance with Policy H6 which seeks to ensure that on developments of 6 or more units that at least 50 percent of the units are 1 and 2 bedroom properties.

Design, Character of the Area and Impact on Heritage Assets

The Council's Design and Historic Buildings Consultant (HBC) has commented that the application site is a prominent site located adjacent to the western end of the Conservation Area. The HBC comments that advice was originally given to planning application ref. 13/00395/FUL in which a series of design discussions and revisions were undertaken, resulting in no objection being raised by the HBC for the highly prominent site which is in close proximity to the Listed Building of Bennets and adjacent to the Brentwood High Street Conservation Area. It was determined that high quality detailing and engineering would be apportioned to the modern form with frameless balustrade and the horizontal emphasis for the fenestration retained.

The HBC comments that the previously approved scheme ref. 13/00395/FUL has not been implemented and the conditions have not been discharged. The HBC concerns regarding this application culminate from the stark contrast of what has been built compared to the permitted scheme; there has been no regard for the context of the site and its sensitivities in terms of its proximity to the statutory designated heritage asset of the Conservation Area.

In terms of Good Design as per National Policy, this is not evident. The architectural narrative is lacking and the approach to detailing cumbersome. The material palette selected is not suitable, for example the rendered form is presently clad with a skin of brickwork; the HBC advises the form should have remained rendered and true to its Modernist origins. The horizontal banding of the openings have been removed and replaced with an attempted pastiche. The detailing and engineering of the upper storey and balustrades have lost their finesse as evidenced in the design intent visual from the approved application.

The HBC refers to a series of correspondences undertaken to resolve these outstanding issues but no amended plans have been formally submitted following advice given.

The Design and Historic Buildings Consultant therefore summaries that there are fundamental design issues which need to be addressed and as such is unable to support the application and recommends refusal.

An objection is therefore raised in terms of Chapters 7 and 12 of the NPPF and Policies CP1(i), CP1(iii), C14 and C16 of the Local Plan.

Residential Amenity

Given the location of the site in a fairly dense urban area where a degree of overlooking is to be expected and the relationship between the building, windows and balconies proposed and the adjoining units it is not considered that the proposal would result in any undue harm to the residential amenity of adjoining residents in accordance with Local Plan Policy CP1(ii) and Paragraph 17 of the NPPF.

Living Conditions

The sizes and locations of the flats within the building were previously considered acceptable. The layout of some of the flats is less than ideal, with for example the master bedroom being accessed straight from the living/kitchen area and the ground floor front flat having bedroom windows adjoining the street. However, no objection was previously raised on this basis and given that no objection has been received from Environmental Health it is considered that the living conditions proposed would not result in significant or demonstrably poor living conditions for any future occupiers in this regard.

Six of the proposed flats have small balconies provided and the additional flat on the top floor has a larger roof terrace. Within Town Centre locations it is often not unusual for no amenity space to be provided at all, therefore the fact that all of the flats are provided with at least a small outside space is positive.

The proposed development would therefore provide adequate living conditions for any future occupiers of the site in accordance with National and Local guidance.

Parking and Highway Considerations

The Highway Authority has commented that although the vehicle parking layout within the site is not ideal, the Highway Authority does not wish to raise an objection to the proposal subject to conditions, given the existence and previous use of the site, its location with good access to frequent and extensive public transport, town centre facilities and car parks and the parking standards. No objection is therefore raised on this basis.

Conclusion

In conclusion, whilst the proposal is acceptable in all other regards, the design proposed is not of good design with the architectural narrative lacking, the detailing approach cumbersome, the material palette unsuitable for the location, and the fenestration and detailing to the balustrades unacceptable. The proposal is of a poor design which fails to reinforce local distinctness and fails to take the opportunities available for improving the character and quality of the area, contrary to Chapter 7 of the NPPF and Policies CP1(i) and CP1(iii) of the Local Plan, the proposal also fails to enhance the heritage assets it adjoins contrary to Chapter 12 of the NPPF and Policies CP1, C14 and C16 of the Local Plan. The neighbour letter of support is noted, however, it is not considered that any benefits of the proposal outweigh the harm identified. The proposal is therefore recommended for refusal.

7. **Recommendation**

The Application be REFUSED for the following reasons:-

R1 U08360

The design proposed is not of good design with the architectural narrative lacking, the detailing approach cumbersome, the material palette unsuitable for the location and the fenestration and detailing to the balustrades unacceptable. The proposal is of a poor design which fails to reinforce local distinctness and fails to take the opportunities available for improving the character and quality of the area and fails to enhance the heritage assets it adjoins, contrary to Chapters 7 and 12 of the National Planning Policy Framework (NPPF) and Policies CP1(i), CP1(iii), C14 and C16 of the Brentwood Replacement Local Plan 2005.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, C14, H5, H6, TC3, TC4, T2 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF23

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

BACKGROUND DOCUMENTS

DECIDED: