

**SITE PLAN ATTACHED**

**08. 9 THORNDON AVENUE WEST HORNDON ESSEX CM13 3TT**

**DEMOLITION OF EXISTING DWELLINGS AND CONSTRUCTION OF SEVEN DETACHED DWELLINGS**

**APPLICATION NO: 14/01473/FUL**

<b>WARD</b>	Herongate, Ingrave & West Horndon	<b>8/13 WEEK DATE</b>	16.02.2015
<b>PARISH</b>	West Horndon	<b>POLICIES</b>	NPPF NPPG CP1 H6 H9 H14 T2
<b>CASE OFFICER</b>	Mrs Charlotte White	01277 312536	
<b>Drawing no(s) relevant to this decision:</b>	9-22D ; 9.23B ; DESIGN STATEMENT ;		

This application was referred by Parish Councillor from Weekly Report No 1678 for consideration by the Committee. The reason(s) are as follows:

West Hordon Parish Council referred the application as the Parish Council voted not to support the application on the following grounds: - Density is too high compared to surrounding area. - Design is out of character with surrounding area. - Development would encroach on privacy of neighbours.

**Update since publication of Weekly List 1678**

None

**1. Proposals**

Planning permission is sought for the demolition of the existing dwelling and the construction of 7 detached dwellings on the site. The proposed houses are of a chalet style with 3x 5-bedroom dwellings at the front of the site and 4x 4-bedroom dwellings at the rear of the site. There is a road proposed to the north of the site to provide access to the rear houses. The plans also indicate that this access would provide a 'size 3 tuning bay' which could enable the access to and from Thorndon Avenue from the A127 to be closed. However, this does not form part of the application. The three dwellings at the front of the site have 2 off-street parking spaces to the front of the site and the dwellings at the rear of the site have a garage and a parking space. There are 3 visitor spaces to the north of the site.

## **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

H6 - Small Unit Accommodation

H9 - Affordable Housing on Larger Sites

H14 - Housing Density

T2 - New Development and Highway Considerations

## **3. Relevant History**

- 13/01172/FUL: Demolition of existing dwelling and erection of 4 no. 5 bedroom detached dwellings -Application Permitted
- 12/00816/OUT: Demolition of existing dwelling and erection of 4 no. 5 bedroom detached dwellings (outline application with landscaping reserved). -Application Permitted

## **4. Neighbour Responses**

11 letters were sent out and a site notice displayed. 2 neighbour letters of objection have been received to date which make the following comments:

- Windows to south elevation overlook several gardens.
- Mature conifers which assume will be lopped - if removed front windows of rear property would overlook rear patio area of No.11.
- If large Willow removed would increase water table which could cause problems to old foundations and result in legal action.
- Bungalow was built on a natural pond; soil samples would be needed.
- Inadequate visitor parking - visitors may park along the road and increase traffic.
- If approved a street cleaner to be regularly used each day to remove mud should be used.

- Raise no objection to principle of redevelopment and are content with approved scheme ref. 13/01172/FUL.
- Layout and design proposed is harmful to the character of the area and the amenity/living conditions.
- The backland/tandem development is unsatisfactory.
- In comparison with the existing grain and character this would be overdevelopment; cramped and incongruous.
- Relationship of the fronts of houses 5-7 and 1-3 appears poor.
- Doubt how functional rear access drive would be with potential for obstruction.
- Attractive willow will be lost and survival of oaks is questionable.
- Retention of conifer with 50 percent reduction appears impractical, as does the retention of the rear conifers as it will affect the sunlight enjoyed to the rear of houses 4-7.
- Question the indicated closure of the vehicular access from Thorndon Avenue to A127 - object to this and any Highway order.
- Without closure access point will involve traffic conflicts.
- Loss of privacy as a result of first floor windows in southern flank of unit 7 and its front gable.
- Flank of unit 7 will be overbearing on garden and is close to the boundary affecting the enjoyment of the garden.
- Not in accordance with CP1, Essex Design Guide and conflicts with the NPPF with regard to design.

## **5. Consultation Responses**

- **Highway Authority:**

From a highway and transportation perspective the impact of the proposal is acceptable, subject to the following conditions being attached to any approval, given the existence of the site, the scale and nature of the proposed development and the area to be available for parking for each proposed dwelling will comply with Brentwood Borough Council's adopted parking standards.

1. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. Wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres to the slip road coming off the A127 (to the north) and 2.4 metres by distance appropriate with speed of travelling vehicles (to the south), as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access 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 access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. The development shall not be occupied until the proposed vehicle accesses have been constructed at right angles to the carriageway in Thorndon Avenue in accordance with submitted Drawing no. 9.22 D and the terms, conditions and specification of the Highway Authority, Essex County Council.

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

4. Each dwelling on the development shall not be occupied until its vehicle parking area has been provided in accordance with submitted Drawing no. 9.22 D. The vehicle parking area shall be retained in this form at all times and 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 avoid on street parking of vehicles in Thorndon Avenue in the interests of highway safety and to ensure that appropriate parking is provided in accordance with Policy DM8 of Essex County Council's Development Management policies and Brentwood Borough Council's adopted parking standards.

5. The cycle parking facilities as shown on Drawing no. 9.22 D are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate bicycle parking is provided In accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

6. 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, approved by Essex County Council. (to include six one day travel vouchers for use with the relevant local public transport operator).

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](mailto:development.management@essexhighways.org) or by post to: SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood. CM13 3HD.

- **Environmental Health & Enforcement Manager:**

I do not in principle have any objections to this application. However, if permission is granted, I would recommend that the following condition be imposed:

- A scheme to assess the likely noise impact from road traffic noise upon the dwellings and shall propose appropriate measures to ensure that the noise level within any habitable room shall not exceed 35dB LAeq (23:00 to 07:00) and 45 dB LAeq (07:to 23:00)

The applicant shall submit to the local planning authority the results of an Acoustic Insulation Assessment check confirming that the acoustic works carried out have been completed in accordance with the said scheme.

- **Essex & Suffolk Water:**

No response received to date

- **Anglian Water Services Ltd:**

No response received to date

- **Arboriculturalist:**

Further to the site meeting I am happy to see the landscaping conditioned in order to get it right.

- **Housing Services Manager:**

No response received to date

- **Design Officer:**

Proposal

Demolition of existing dwellings and construction of seven detached dwelling.

## Discussion

This application has been subject to pre-application discussions. There is an extant permission at the development site which has been revisited (ref: 13/01172/FUL).

The extant permission concerns the demolition of the existing detached dwelling and the erection of 4 detached chalet style dwellings. These current proposals seek to increase the quantity of built form at the rear of the site and reduce the built form to three dwellings upon the principal frontage.

Having reviewed the information within this application I advise the design is acceptable in both layout and elevation treatment. I did raise concerns during the pre-application process in respect of the massing of the properties at the rear of the development site; this bulk has been addressed through a reduction in ridge height and given the well screened nature of the site I raise no fundamental objection.

The increased landscaping at the north of the site is an important element within these proposals and will soften the visitor car parking area; overall landscaping is vital to a successful development in this location, this includes boundary treatments.

There is no information submitted within the application regarding materials and detailing, this aspect must be conditioned and should include the following;

- Development shall not be commenced until a schedule of the types and colour of the materials to be used in the external finishes has been submitted to and approved in writing by the local planning authority.
- Works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- No electricity, gas or water meter boxes shall be fixed to the external fabric of the buildings.

## Recommendation

Consequently I have no objections on design grounds subject to conditions.

- **Parish Council:**

This is to inform you that West Horndon Parish Council at their meeting held on 29th January 2015 voted not to support the application 14/01473/FUL - 9 Thorndon Avenue for the following reasons:

- The proposed development is at a high density compared to the surrounding area which is contrary to BBC's planning policies CP1 (i) & H14
- The proposed development is of a design which is out of character with the surrounding area. This is contrary to BBC's planning policies CP1 (i) & H14
- The proposed development would encroach on the privacy of the neighbouring property

West Horndon Parish Council wishes to refer the planning application 14/01473/FUL - 9 Thorndon Avenue, West Horndon to the Planning Committee. The reasons being:

The Parish Council voted not to support the application on the following grounds:

- o Density is too high compared to surrounding area
- o Design is out of character with surrounding area.
- o Development would encroach on privacy of neighbours.

## **6. Summary of Issues**

The application site is located on the western side of Thorndon Avenue. The site is bounded to the north by the Southend Arterial road (A127) and to the south by a chalet dwelling; No.11 Thorndon Avenue. The site accommodates an extended, largely single storey dwelling. The road is residential in nature and is typified by dwellings of varying sizes and ages, although the streetscene is mainly characterised by bungalows and chalet-type dwellings.

The site is located in a residential area and as such the main considerations in the determination of the proposal are the principle of the development, design, residential amenity, living conditions, highway considerations and landscaping considerations:

### Recent History

Planning permission was relatively recently permitted for the redevelopment of the site for 4x 5-bedroom houses (ref.13/01172/FUL). This permission is yet to be implemented.

## Principle of the Development

The site is a brownfield site located within an existing residential area with good road and public transport links close by. The plot is generous and it is not considered that the site being used for one dwelling makes the best use of the land. Planning permission has already been granted for the redevelopment of the site for 4 houses. As such, the principle of the development is acceptable, subject to other considerations such as design and residential amenity considerations:

## Design

The Council's Design Officer has commented that the design is acceptable in terms of both layout and elevation treatment. The Design Officer refers to pre-application advice given and comments that the bulk of the dwellings as previously submitted at pre-application stage has been reduced with the ridge height now reduced in this formal submission and raises no fundamental objection to the proposal. The Design Officer comments that landscaping will be vital and recommends that conditions are attached to any grant of consent. Subject to such conditions the Design Officer raises no objection to the proposed development.

This proposal is for a 'tandem' development with dwellings located behind dwellings that front the road frontage. In terms of the urban grain/existing layout of the area, the area mainly has a linear/ribbon character. However, there are some examples of development located behind the main ribbon frontage development, for example, on the other side of the road, to the south of the application site there is an existing vehicle accessway between No's 10 and 14 Thorndon Avenue, leading to Law Farm; No.12 Thorndon Avenue. Therefore whilst not particularly common, there are other existing examples of development to the rear of the frontage development in the immediate area. As such it is not considered that the development to the rear of the site would be harmful to the character or appearance of the area or result in an incongruous development in the streetscene.

The NPPF states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proposer to seek to promote or reinforce local distinctiveness. This part of Thorndon Avenue is mainly characterised by bungalow and chalet type dwellings, and it is considered that the chalet type designs proposed would be in-keeping with this existing character and would reinforce the local distinctiveness of the area.

In terms of scale, the proposed chalet dwellings are not too dissimilar to the dwellings previously granted planning permission (ref. 13/01172/FUL), with the dwellings actually reduced in overall height compared to the extant permission. The maximum height of the dwellings now proposed is 6.9m, compared to around 7.5m in the extant permission. The size, scale and bulk of the dwellings is therefore considered acceptable.

The siting of the dwellings is also considered acceptable, with the dwellings at the front not projecting beyond the front building line of the existing dwellings to the south. A 1m isolation gap is proposed between the flank wall of each dwelling and the side boundaries of the site which prevents unrelated terracing.

The size, siting, scale, style and design of the dwellings is therefore considered acceptable and it is not considered that the proposed development would appear incongruous in the streetscene or harm the character or appearance of the area. No objection is therefore raised in terms of Chapter 7 of the NPPF or Policies CP1(i) or CP1(iii) of the Local Plan.

#### Housing Policies

Policy H6 of the Local Plan requires the provision of smaller units on development sites unless the character of the area is such that smaller units would be inconsistent with the character of the area. No such housing mix has been proposed with large 4/5 bedroom dwellings proposed, contrary to this policy. Within this part of Thorndon Avenue there are a mixture of dwelling sizes and as such it is not considered that the provision of smaller units would be incompatible with the character of the area.

However, given that the site already has permission for 4 large dwellings, given that the NPPF states that housing applications should be considered in the presumption in favour of sustainable development and given that the site seeks to make better use of the previously developed land than the extant permission, it is not considered that a reason for refusal on this basis could be justified in this regard, in this instance. No objection is therefore raised in terms of Policy H6 of the Local Plan.

Policy H14 requires a minimum density of 30dph. The proposed density is below 30dph, however, given that there is an extant permission for 4 dwellings on this site, and given that this proposal seeks a higher density it is not considered that a reason for refusal on this basis could be fully sustained.

Policy H9 of the Local Plan requires sites of 5 units or more outside the Brentwood Urban Area to provide 35 percent affordable housing. The applicant has not included any details of affordable housing within the submission, however, has indicated that he would be willing to enter into a S106 agreement to provide any necessary affordable housing. The Council's housing department has confirmed that affordable housing would be required on this site. Subject to a S106 agreement, no objection is therefore raised on this basis.

### Residential Amenity

In terms of an overbearing impact, given the location of the site, the only dwelling that could be adversely affected in this regard is No.11 Thorndon Avenue to the immediate south of the site. The dwellings proposed at plots 1-3 at the front of the site would not adversely impact No.11 in terms of dominance or an overbearing impact given the similar depth of the dwellings and the relationship between the existing and proposed dwellings. The dwellings to the rear of the site at plots 4-7 would be significantly removed from the dwelling at No.11. Whilst the proposal would result in further built form to the rear of the site near the boundary with No.11, given the size of the garden at No.11 and given that No.11 is located to the south of the application site it is not considered that the proposal would result in any significant or demonstrable harm to the occupiers of No.11 in terms of dominance, overbearing impact, loss of outlook or loss of light. No objection is therefore raised on this basis.

In terms of overlooking, the ground floor windows could be screened by standard boundary treatments and as such would not result in any undue overlooking. The front windows in plots 1-3 would overlook the public highway which is within the public realm and would not therefore result in any undue loss of privacy.

Plots 1-3 have no first floor side windows. Plots 4-7 have one first floor side window per dwelling, however, this window serves a bathroom and as such any overlooking can be mitigated with a condition requiring this window to be obscure glazed with limited openings. The front windows of the rear plots (plots 4-7) would be located some 22m from the rear of the dwellings at the front plots (Plots 1-3). Whilst there will be some mutual overlooking in this regard and whilst the dwellings to the rear would result in some overlooking of the gardens of the dwellings at the front of the site, given the distance provided between these windows it is not considered that this would be such a poor relationship as to result in significant or demonstrable harm to the residential amenity of the occupiers of the new dwellings. It is not uncommon for a degree of mutual overlooking to occur in urban areas such as this.

It is noted that concerns have been raised regarding the first floor front window proposed to the dwelling at Plot 7 in terms of its impact on No.11. However, the first floor window to Plot 7 would be located approximately 17m from the rear of No.11 and any overlooking would be at an oblique angle. However, given that this window is not the only window that serves this bedroom, it is considered that the first floor front window to the projecting front bedroom in plot 7 could be obscure glazed with limited openings to prevent any perceived overlooking from the existing residents at No.11 without harming the living conditions of the future occupiers of Plot 7.

The rear windows of Plots 4-7 overlook a field and as such would not result in any overlooking.

Plots 4 and 5 are handed and as such the first floor side windows to the projecting bedrooms would be located only approximately 7.5m apart which would result in unacceptable harm to the residential amenity of the future occupiers of this site in terms of overlooking. However, these bedrooms are also served by front windows and as such any overlooking can be overcome with a condition requiring the first floor side windows serving the front bedroom to Plot 4 to be obscure glazed.

Therefore, subject to conditions restricting some of the proposed windows to be obscure glazed with limited openings, no objection is raised to the proposal in this regard.

It is not considered that the proposed development would result in any undue noise and disturbance to nearby existing residents given the location of the site and the nature of the proposal. It should be noted that the Environmental Health Officer has raised no objection in this regard.

#### Living Conditions

Each dwelling will be provided with adequate living conditions; with parking provided and adequate sized gardens provided.

The site is located in very close proximity to the A127 and it is therefore necessary to consider the impact of this busy road on the living conditions on any future occupiers of the site. In this regard, the Environmental Health Officer has been consulted and has commented that there is no objection to the principle of the development, however, a condition is needed requiring a noise impact scheme to be submitted. Subject to such a condition it is not considered that the location of the site in close proximity to the A127 will harm the living conditions of the future occupiers of the dwellings. Subject to such a condition no objection is therefore raised in this regard.

## Highway Considerations

The Highway Authority has commented that from a highways and transportation perspective the impact of the proposal is acceptable, subject to conditions, given the existence of the site, the scale and nature of the proposed development and the area to be available for parking for each proposed dwelling.

It is noted that the plans submitted indicate that the access/egress between Thorndon Avenue and the A127 will be closed. However, this is not part of the actual application; it is outside the red line application area and is not necessary to make the development acceptable. However, the layout of the development provides a potential turning head which may enable the road to be closed at a later date if necessary and subject to the correct highway consents having been obtained.

Subject to the conditions recommended by the Highway Authority it is not therefore considered that the proposal would harm highway safety and no objection is therefore raised in this regard.

## Landscaping Considerations

The Council's Tree Officer originally raised concerns to the landscaping scheme shown on the proposed plans, but following discussions with the Agent, is satisfied that this concern can be addressed with a condition requiring no development to commence until a landscaping scheme has been submitted to and approved by the LPA. Subject to such a condition, no objection is raised in this regard.

## Other Matters

The majority of the neighbour concerns raised have already been considered, such as residential amenity issues, landscaping, parking provisions and highway safety, design and layout and living conditions. Issues such as the water table, foundations and soil will be dealt with at building regulations stage. A condition requiring a construction method statement can be attached to any grant of consent to deal with issues such as wheel washing facilities to prevent mud being brought onto the highway.

## Conclusion

Subject to conditions and a S106 agreement for the necessary affordable housing to be provided, the proposal is considered to comply with National and Local Planning Policy and is therefore recommended for approval.

## **7. Recommendation**

The Application be APPROVED subject to completion of a Section 106 Agreement and 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.

### **3 MAT01 Samples (details acceptable)**

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In Order to safeguard the character and appearance of the area.

### **4 BOU01 Boundary treatment to be agreed (gen)**

The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers.

### **5 BOU09 No walls or fences - except as approved**

Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), and with the exception of those approved as part of this permission, no walls, fences or other means of enclosure shall be erected within the application site.

Reason: In the interests of safeguarding the character and appearance of the area.

#### 6 CON1 Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity.

#### 7 LAN04 Landscaping - Small Developments

No development shall take place until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be carried out as approved. Any newly planted tree, shrub or hedgerow, or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason: In order to safeguard and enhance the character and appearance of the area.

#### 8 MAT04 Surfacing materials

Details of the surfacing materials of driveways and parking areas shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby approved and construction shall be in strict accordance therewith.

Reason: In order to safeguard the character and appearance of the area.

9 PARK01 Garage for parking only

Vehicular access to the garage shall not be restricted by any reduction in the size or change in the nature of the garage door and the clear space within the garage shall not be reduced in size through the construction of internal walls. The garage shall not be used or adapted for use for any purpose other than domestic storage and the parking of private motor vehicles associated with the dwelling and it shall not be used for habitable living accommodation of any kind.

Reason: To ensure that adequate on-site parking is available in the interests of highway safety and maintaining the character and appearance of the area.

10 U09487

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reasons: To safeguard the living conditions of the occupiers of neighbouring dwellings.

11 RESL04 No PD for windows etc

Aside from those indicated on the approved drawings, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows, dormer windows, glazed doors or rooflights shall be constructed without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

12 SIT01 Site levels - to be submitted

Details of existing and proposed site levels and the finished floor levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents.

13 U09489

The first floor bathroom window in plots 5,6 and 7, the first floor front window serving the projecting bedroom at plot 7 and the first floor flank windows serving the projecting bedroom at plot 4 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 windows 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.

14 U09490

Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres to the slip road coming off the A127 (to the north) and 2.4 metres by distance appropriate with speed of travelling vehicles (to the south), as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access 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 access and those in the existing public highway in the interest of highway safety

15 U09491

The development shall not be occupied until the proposed vehicle accesses have been constructed at right angles to the carriageway in Thorndon Avenue in accordance with submitted Drawing no. 9.22 D and the terms, conditions and specification of the Highway Authority, Essex County Council.

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

16 U09492

Each dwelling on the development shall not be occupied until its vehicle parking area has been provided in accordance with submitted Drawing no. 9.22 D. The vehicle parking area shall be retained in this form at all times and 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 avoid on street parking of vehicles in Thorndon Avenue in the interests of highway safety and to ensure that appropriate parking is provided

17 U09494

The cycle parking facilities as shown on Drawing no. 9.22 D are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate bicycle parking is provided in the interest of promoting sustainable transport.

18 U09496

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, approved by Essex County Council. (to include six one day travel vouchers for use with the relevant local public transport operator)

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

19 U09497

No development shall take place until a scheme to assess the likely noise impact from road traffic noise upon the dwellings which shall propose appropriate measures to ensure that the noise level within any habitable room shall not exceed 35dB LAeq (23:00 to 07:00) and 45 dB LAeq (07:to 23:00) has been submitted to and approved in writing by the local planning authority. The results of an Acoustic Insulation Assessment check confirming that the acoustic works carried out have been completed in accordance with the said scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby permitted.

Reason: In the interests of the living conditions of the future occupiers of the site.

#### Informative(s)

1 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.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H6, H9, H14, T2 the National Planning Policy Framework 2012 and NPPG 2014.

### 3 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.

### 4 U02264

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](mailto:development.management@essexhighways.org) or by post to: SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood. CM13 3HD.

### *BACKGROUND DOCUMENTS*

### **DECIDED:**