

## PLANNING SERVICES



## WEEKLY REPORT

No. 1393

Week ending 3rd July 2009

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**Brentwood**  
Borough Council

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**PLANNING SERVICES**

**REPORTS ON APPLICATIONS**

**Applications delegated to the Head of Planning Services for decision subject to the concurrence of the Chairman and Vice Chairman of the Planning Development Control Committee.**

- Decision Notices will be issued in accordance with the attached recommendations unless an application is referred to the Planning Committee by **ANY MEMBER OF THE COUNCIL** or by a **PARISH COUNCIL**.
- Any application that is referred will be reported to the next available Planning Development Control Committee.
- Planning Services Administration Support must be notified of any application which is to be referred by **12 Noon on 13th July 2009**.
- Applications may be referred in writing or by emailing the Planning Department ([referrals@brentwood.gov.uk](mailto:referrals@brentwood.gov.uk)) giving a valid Planning Reason for referring the Application. Please do not hesitate to contact the case officer if you have any queries prior to referring an item.
- You will receive an acknowledgement of any referral that is made. Referred applications will normally go to the next available planning committee following referral.
- Copies of plans and all background documents (including letters of objection, supporting letters, consultation responses, Parish Council observations and other representations) are available for inspection at the Planning Office.

## **ADJ SHENFIELD HALL BARN HALL LANE SHENFIELD BRENTWOOD**

### **CONVERSION OF GRAIN STORE TO SWIMMING POOL, GYM, SAUNA AND ANCILLARY ACCOMMODATION**

#### **BRW/948/2008**

**Ward:** SHENFIELD

**Zoning:** Metropolitan Green Belt

**Parish:**

**Policies:** C16 CP1 GB1 GB15 GB16  
GB2 GB7

**Case Officer:** Ann Oulds (Tel: 01277  
312606)

#### **1. Proposals**

- Conversion of grain store to swimming pool/recreational building comprising swimming pool, gym and sauna together with changing room and pool equipment area.
- A supporting statement, incorporating Design and Access issues and Planning Policy Considerations, has been submitted stating, inter alia:
  - planning application reference BRW/161/2008 for the change of use of the grain store adjacent to Shenfield Hall Farm Barn to swimming pool, gym, lounge and ancillary accommodation was refused
  - there are two elements to the revised scheme, namely
    - the conversion of the former grain store (incorporating dryer and dresser) to private leisure use
      - the agricultural building was constructed for the processing and storage of grain
      - the building is proposed to be used for a private leisure use
      - there is no intention to incorporate the building within the residential curtilage of Shenfield Hall Barn
    - the use of the land as private open space
      - the term 'private open space' is used to differentiate the use of the land from its former use for agricultural purposes and the domestic curtilage of Shenfield Hall Barn
      - the land is private rather than public
      - the openness of the Green Belt will be retained/maintained
      - it is not proposed that the residential curtilage of Shenfield Hall Barn will be extended
  - the former grain store is located within the former curtilage of Shenfield Hall Farm and was erected in 1958
  - the statement details works not considered to require planning permission, namely, inter alia:
    - refurbishment and repair of the building
    - cleaning and re-painting

- development requiring planning permission comprises:
  - use of the restored building for private leisure purposes
  - construction of swimming pool
  - formation of windows, folding doors, changing facilities, showers, gymnasium, storage
- The Design and Access Statement states, inter alia:
  - there is to be no additional hardstanding
  - the relationship of the building to the listed building remains unchanged
  - the key design elements and setting of the building remain unchanged
  - the building will be accessed via the existing pathway and hardstanding
- The Planning Policy Considerations state, inter alia:
  - Green Belt Issues
    - the proposal maintains the openness of the Green Belt
    - the re-use of the building and associated land is not inappropriate development
    - complies with relevant paragraphs of PPG 2 - Green Belts, and Policy GB15
    - the proposal does not constitute an extension to the residential curtilage
  - Historic Environment Issues
    - given the date of construction (post 1948) the grain store is not curtilage listed
    - building considered to be of some historic interest
    - 20th century farming history is being lost given there is no protection by association with the listed building
    - the re-use of the building complies with PPG 7 (Note: now replaced by PPS 7 - Sustainable Development in Rural Areas [August 2004])
- The reasons for refusal of application reference BRW/161/2008 are analysed:
  - the building will not provide ancillary domestic accommodation - its use will be private leisure use
  - whilst the building requires some repairs, it is not derelict and does not require substantial re-building
  - terrace/hardstanding to the west elevation has been omitted
  - the proposal does not propose enlargement of the residential curtilage and whilst in the same ownership, the building is for private leisure use

## **2. Relevant History**

- BRW/229/2005, LB/BRW/16/2005 - Conversion of barn to two dwellings and outbuilding to garaging together with change of use of land to residential curtilage; Approved.

- BRW/1026/2006, LB/BRW/55/2006 - Conversion of barn to dwelling and outbuilding to garaging together with change of use of land to residential: Approved and implemented.
- BRW/1233/2007 - Vehicular access and private way for agricultural use (retrospective); Approved.
- BRW/161/2008 - Change of use of grain store to swimming pool, gym, lounge and ancillary accommodation; Refused on the grounds of inappropriate development; the grain store would effectively require re-building; the proposed hardstanding would detract from the character, appearance and openness of the Green Belt and would constitute inappropriate development outside the residential curtilage; the use of the grain store would effectively enlarge the residential curtilage.

### **3. Consultation Responses**

- **Highways:** No objections.
- **County Planner (Historic Buildings and Conservation):** "My remit is the impact on the setting of the listed building. On balance, I had no objection to the previous application, but from a listed building remit, this application improved greatly upon it. As stated previously (and in more depth), it is felt that the grain store makes a positive contribution to the setting of the listed building and merits preservation. The previous proposals included changes to the external appearance and immediate setting that would have changed it somewhat, but these are no longer proposed. In particular, the doors on the south elevation remain unchanged and the retention of some of the machinery is very welcome. I appreciate that there are other planning concerns, but there is no listed building objection, subject to conditions relating to additional detailed drawings, samples of new materials, a record and written analysis of the existing building".

### **4. Neighbour Responses**

- None.

### **5. Summary of Issues**

- Planning approval reference BRW/229/2005 for the conversion of the listed barn to residential use also defined a residential curtilage for that dwelling with the converted barn sitting centrally within its curtilage with the northern and southern boundaries formed respectively from the former farm track/public footpath through the site and the boundary to Shenfield Hall itself. Nearby adjacent buildings within that residential curtilage were converted to ancillary residential uses, for example, as garaging.
- The applicant states that the grain store is located on land that forms part of the curtilage of the listed barn. This is incorrect. The grain store is indicated to be within the ownership of the owner of the listed barn. However, it is not within the approved residential curtilage of the converted listed barn. Indeed the grain store is located a minimum of 20m from the nearest part of the lawful curtilage and 40m from the converted barn itself and separated from the curtilage by agricultural land. Therefore, given the foregoing, it is considered

that the proposed use of the grain store for residential purposes, albeit for a purpose incidental to the enjoyment of the converted farmhouse, would constitute inappropriate use which is, by definition, harmful to the Green Belt.

- Given the foregoing conclusion that the conversion and private use of buildings located in the Green Belt that lie outside the residential curtilage of a dwelling constitute inappropriate development in the Green Belt, there is no specific Government guidance or Local Plan policies relevant to these circumstances.
- However, PPG 2 - Green Belts and PPS 7 - Sustainable Development in Rural Areas take a positive attitude to the re-use and adaptation of rural buildings for commercial business uses including sport and recreational leisure facilities. This guidance not only reduces demand for new buildings in the Green Belt but provides opportunities for agricultural diversification and to aid the rural economy.
- Policy GB15 of the Local Plan flows from the above Government guidance and, subject to strict criteria, allows for the conversion of rural buildings in the Green Belt to, inter alia, small scale commercial leisure uses. The policy is not intended to relate to private leisure uses which should be undertaken within the domestic curtilage of dwellings as required under Policy GB7.
- The current application relates to the re-use of the grain store for private leisure purposes and, therefore, whilst Policy GB15 for the re-use and adaptation of rural buildings is not strictly relevant, it is considered the most appropriate Local Plan policy in these circumstances regarding the re-use of rural buildings:
  - Criterion (ii): The building is of permanent and substantial construction and is capable of conversion without major or complete reconstruction and without major alteration to its external appearance
  - Comment: The applicant's supporting statement states that there are to be no alterations to the grain store. However, the statement indicates that the metal roller shutters to the north, south and west facing elevations are to be replaced with reflective glass panels. Additionally, the open canopy to the east facing elevation is to be enclosed with reflective glass. Whilst the submitted drawings and supporting statement states that 'the large sliding doors on the southern elevation will be refurbished', the statement also states 'glazing will be inserted at the southeast corner to fill the opening of the wooden sliding doors'. Notwithstanding this contradiction, the existing metal shutters, opening and doors have a utilitarian appearance commensurate with the previous use of the building in this Green Belt area. It is considered that the replacement of these elements with glazing represents some 38.4% of the walls of the existing building and, therefore, constitutes a major alteration to the external appearance of the building, contrary to Criterion (ii) of Policy GB15.
  - Criterion (iii): The new use should not require extension of the building or additional "open elements" which might conflict with the openness of the Green Belt and the purposes of including land within it
  - Comment: The hardstanding to the rear of the proposed swimming pool as indicated on planning refusal application BRW/161/2008 has been deleted from this application. However, the two pairs of glazed doors to

the west facing elevation remain and, given the lower land levels adjoining this elevation, it is likely that some form of raised hard surface will be required.

- In respect of the applicant's planning statement and planning policy considerations, comment is made as follows:
  - The conversion of the former grain store to private leisure use
  - Comment:
    - The grain store is located outside the residential curtilage of the converted listed barn. As noted above, its proposed use for private leisure use would result in an extension of activity associated with the residential use of the converted listed barn. Such development and activity constitutes inappropriate development in the Green Belt, which is by definition harmful to the Green Belt.
  - The use of the land as private open space
    - Comment: It is noted that the Applicant uses the term 'private open space' to differentiate the use of the land from its former use for agriculture and from the domestic residential curtilage of Shenfield Hall Barn. It is the Council's view that the term relates to ownership and is not a recognised defined planning use of land. In fact, the land adjoining the residential curtilage of the converted Shenfield Hall Barn can be used for appropriate Green Belt purposes by the applicant as 'private open space' without the requirement for planning permission. It is considered that the use of the grain store, inter alia, as a swimming pool, would result in the use of the building being incidental to the enjoyment of the dwellinghouse and thus, effectively, resulting in a change of use of the land, on which the grain store sits and access to that building, to residential curtilage.
  - Proposed alterations to the grain store
    - Comment: This point is dealt with under the analysis of criterion (ii) of Policy GB15 above. It is considered that the replacement of the roller shutter elements of the grain store with glazing represents some 38.4% of the walls of the existing building and, therefore, constitutes a major alteration to the external appearance of the building. This is considered to be contrary to Criterion (ii) of Policy GB15. Additionally, there appears to be a contradictory statement relating to the large sliding doors to the south elevation which are indicated to be refurbished. However, the statement further indicates that "glazing will be inserted at the south-east corner to fill the opening of the wooden sliding doors .....". This appears to contradict the earlier statement that the sliding doors to the south elevation are to be refurbished. The Design and Access Statement also raises this very point stating "The key design elements of the building, together with its setting remain unaltered. The external materials and their colour remain the same. The solid and void visual elements of the original design remain unchanged". Given the above and the proposed level of glazing to replace the utilitarian metal roller shutters, it is considered that the visual integrity of this

agricultural building will be destroyed by the introduction of domestic glass walling to the detriment of this Green Belt location which is located outside the residential curtilage of the converted Shenfield Hall Barn dwelling.

- Justification of Proposal
  - Green Belt Issues: The applicant refers to Paragraph 3.8 of PPG 2 relating to the re-use of buildings in a Green Belt and also Policy GB15 of the Local Plan and states, inter alia:
    - "the building is of permanent and substantial construction ..... without major alterations to its external appearance"
    - Comment: It is considered that the replacement of the roller shutters of the grain store with reflective glass and representing 38.4% of the area of the walls of the building, constitutes a major alteration to its external appearance
    - "no extensions to the building are proposed"
    - Comment: This has been addressed above.
    - "the form and bulk of the building is unaltered and the general design, being agricultural, is in keeping with its surroundings"
    - Comment: The existing agricultural building relates to the former use of the land for agriculture. However, whilst the bulk of the building is unaltered, the proposed major alteration to its appearance through the glazing, destroys the integrity and structure of the building such that it would be out of keeping with its Green Belt location.
    - "the proposal is not an extension of the residential curtilage"
    - Comment: This has already been addressed above.
  - Historic Environment Issues
    - It is accepted that the grain store has some historic interest and its retention and preservation are matters for the owners of the building to undertake. However, that preservation does not need to take the form of the conversion of the building to, inter alia, a swimming pool. It is considered that the replacement of the integral roller shutters with reflective glass would result in a major alteration to its external appearance, thereby destroying the agricultural integrity of the building.
    - The applicant refers to PPS 7 - Sustainable Development in Rural Areas. paragraphs 17 and 18 - Re-use of buildings in the countryside. Paragraph 17 of PPS 7 requires Local Planning Authorities to have policies relating to the conversion and re-use of buildings in the countryside. Policy GB15 of the Brentwood Replacement Local Plan does just that and it is considered that the proposal fails to comply with the requirements of PPS 7 and Policy GB15.
- In light of the above, it is considered the proposal fails to satisfy the relevant criteria of Policies GB1, GB2, GB7 and GB15.

## **6. Recommendation**

### ***Refuse***

- 1) The site lies outside the areas allocated for development in the Brentwood Replacement Local Plan and, furthermore, forms part of the Metropolitan Green Belt. The Brentwood Replacement Local Plan indicates, inter-alia, that in order to achieve the objectives of the Green Belt, planning permission will not be given, except in very special circumstances, for development for purposes other than those appropriate to a Green Belt. The siting of the grain store outside the approved residential curtilage and its use as ancillary domestic accommodation would extend activity associated with the residential use of the converted listed barn. Such development and activity is inappropriate in the Green Belt and it is not considered that there are any special circumstances in this case to warrant a departure from policy. Furthermore, it is considered that allowing the use of the grain store for ancillary domestic purposes outside the domestic curtilage of the listed dwelling where there are no very special circumstances would set a precedent and lead to the erosion of the Green Belt, contrary to Policies GB1 and GB7 of the Brentwood Replacement Local Plan.
- 2) Notwithstanding reason 1 above, and, notwithstanding that the re-use and adaptation of rural buildings can be appropriate development in the Green Belt for commercial small-scale employment, tourism, leisure and community uses in order to aid agricultural diversification and the rural economy, it is considered that the proposed re-use of the grain store for private leisure use fails to comply with Policy GB15 of the Brentwood Replacement Local Plan in this respect and, furthermore, due, inter alia, that the proposal will result in a major alteration to its external appearance before the building can be put to its proposed use, contrary to Policy GB15 of the Brentwood Replacement Local Plan.
- 3) Notwithstanding reasons 1 and 2 above, the use of the converted grain store for a use incidental to the enjoyment of the Shenfield Hall Barn dwellinghouse, would effectively enlarge the residential curtilage resulting in a considerable encroachment into the Green Belt to the detriment of the character, appearance and openness of the Green Belt, contrary to Policies GB1, GB2 and GB7 of the Brentwood Replacement Local Plan.

### **Informatives**

- 1) I12 - Policies related to refusal
  - 2) The following plans are relevant to this decision: Revised Planning Statement received on 25 February 2009, Location Plan B received on 25 February 2009, drawing numbers 4537/1A, 2A and 10A received on 28 October 2008.
-

## **GIMBER LODGE THORNDON APPROACH HERONGATE BRENTWOOD**

### **DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF TWO STOREY AND SINGLE STOREY DWELLINGHOUSE INCORPORATING DORMER WINDOWS AT THE FRONT, ROOF LIGHTS TO THE REAR AND ROOF SPACE ACCOMMODATION TOGETHER WITH ATTACHED DOUBLE GARAGE AND SWIMMING POOL AT THE SIDE**

#### **BRW/320/2009**

**Ward:** HERONGATE, INGRAVE & WEST HORNDON      **Zoning:** Residential

**Parish:** Herongate & Ingrave Parish Council      **Policies:** C5 C7 CP1 H16 H17 IR5

**Case Officer:** Ann Oulds (Tel: 01277 312606)

#### **1. Proposals**

- Demolition of existing dwellinghouse and erection of replacement six-bedroom two storey and single storey dwellinghouse measuring overall: 30.1m wide x 12.6m deep x 9.5m high to the two storey element and 6.3m high to the single storey element.
- Two dormer windows to the front elevation, each being 1.75m wide; flat roofs.
- Four roof lights to the rear elevation.
- Attached double garage and swimming pool building at the side and measuring overall: 13.85m wide x 13.9m deep x 5m high to the garage element and 5.45 high to the swimming pool element; pitched roofs.
- A Design and Access Statement has been submitted.

#### **2. Relevant History**

- BRW/108/2008 - Demolition of existing dwellinghouse and erection of 6-bedroom two storey and single storey dwellinghouse incorporating roof space accommodation together with detached double garage at the front; Refused on the grounds:
  - height, mass and bulk would be detrimental to the character and visual amenities of the area
  - dormer windows would be out of scale and poorly related to the dwelling
  - size and siting of the garage would be detrimental to the character and visual amenities of the area
  - loss of preserved tree would be detrimental to the character and visual amenities of the area
- BRW/554/2008 - Demolition of existing dwellinghouse and erection of two storey and single storey dwellinghouse incorporating dormer windows at the front, roof lights to the rear and roof space accommodation together with detached double garage at the side; Approved.

- BRW/1077/2008 - Demolition of existing dwellinghouse and erection of two storey and single storey dwellinghouse incorporating dormer windows at the front, roof lights to the rear and roof space accommodation together with detached double garage at the side; Approved.

### **3. Consultation Responses**

- **Herongate & Ingrave Parish Council:** The Parish Council has been consulted. However, at the time of writing this report, no comments have been received.
- **Highways:** Given the previous approvals and the area available for parking within the existing site, no objection raised, subject to Condition 5 and Informatives 1 and 2 below.
- **Arboriculturalist:** The trees on the site are covered by Tree Preservation Order no.5 of 1948. This is a woodland order. The plans show the removal of one Beech which is located at the front, close to the existing dwelling. The tree has been pruned on a regular basis and it is not considered to be a specimen worthy of retention. The Silver Birch, located close to the driveway, is shown to be removed. This could be replaced with a mature specimen between the existing Silver Birch and the driveway.

### **4. Neighbour Responses**

- None.

### **5. Summary of Issues**

- The site comprises a corner plot within Thorndon Approach with part of the roughly rectangular plot lying to the rear of 'Park Cottage'. 'Mallards' is located to the rear and is sited at a right angle to the dwelling.
- The original dwelling on the site comprised a two storey and single storey element which, together with the attached double garage had an overall width of some 35m. The original dwelling had a linear form set at an angle across the plot.
- The proposed two storey and single storey elements of the replacement dwellinghouse occupy a broadly similar position to those of the original dwelling.
- In comparison with the recently approved planning application, reference BRW/1077/2008, the current application incorporates the erection of a swimming pool building to the rear of the garage together with a shower room/WC and pool plant room to be erected on the west facing elevation of the proposed garage.
- Whilst the swimming pool building at some 5.45m maximum height is some 0.45m higher than the double garage, given the location of this part of the pool building, it is not considered it would be unduly prominent in the street scene.
- It is considered that the dormer windows to the front elevation relate satisfactorily to the roof and overall design of the dwelling.

- The roof lights to the rear elevation are indicated to be in an identical position as those approved under planning approval reference BRW/1077/2008. However, condition 7 below is recommended to ensure that the cill height remains at 1.8m above the finished floor level to prevent any overlooking of the private amenity space of the dwelling at the rear, 'Mallards'.
- In light of the above and subject to conditions set out below, it is considered that the proposal satisfactorily complies with the relevant criteria of Policies CP1, H17, C5 and C7.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) L2 - Landscaping - Full permission where scheme not submitted
- 3) L5 - Retention of all existing landscaping (where no new landscaping is required)
- 4) L7 - Landscaping protection
- 5) 1.5m x 1.5m vehicle/pedestrian sight splays shall be provided and maintained where the widened access meets the back of the footway. No obstruction above 600mm in height shall be permitted within these splays. (**Reason:** In the interest of highway safety.)
- 6) Notwithstanding the information on the approved plans, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details. (**Reason:** In the interest of amenity.)
- 7) The roof lights at the rear outlined in BLUE shall have cill heights located 1.8m above the internal finished floor level of the attic floor space. (**Reason:** In the interests of the privacy and amenity of adjacent occupiers.)
- 8) M10 - Retention of window pattern
- 9) M5 - Surfacing materials
- 10) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any subsequent re-enacting Order, no extensions whatsoever shall be erected to the building. (**Reason:** In the interests of the privacy and amenity of neighbouring properties.)
- 11) R14 - Site levels to be submitted

12) No development shall take place on site until a schedule of measures designed to reduce carbon emission and maximise energy conservation on the site to ensure the dwellings reach Code for Sustainable Homes Level 3 or above has been submitted to and approved in writing by the Local Planning Authority. The schedule of measures shall be incorporated into the development hereby permitted as it is constructed and shall not be removed or altered in any way without the prior written consent of the Local Planning Authority. Prior to first residential occupation of the development hereby permitted a copy of the Post Construction Final Code Certificate shall be submitted verifying that the Level 3 rating has been achieved.

**(Reason:** To ensure that development takes place in an environmentally sensitive way in the interests of sustainability.)

13) M12 - Retention of development as permitted

14) The following plans are relevant to this planning permission: drawing number SK1, SK3, SK4, SK5, WD2 Rev. E, WD3 Rev. D, WD4 Rev. C, WD5 Rev. A, WD6 Rev. B, A1-01 (07079) received on 20 May 2009.

**(Reason:** For the avoidance of doubt.)

### Informatives

1) The access shall be widened in accordance with the terms, conditions and specification of the Highway Authority, Essex County Council.

2) The redundant access shall be permanently closed by raising the kerbs and footway to conform with adjacent levels to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority.

3) I6 - Lifetime Homes

4) I1 - Foundation design

5) The Applicant is advised to contact the Environment Agency, Planning Liaison Officer (01473 706732), regarding appropriate discharge of water from the proposed swimming pool.

6) I11 - Policies related to approval

7) I8 - Accordance with approved plans

## **6 MIDDLETON ROAD SHENFIELD BRENTWOOD**

### **2NO. TWO STOREY SIDE EXTENSIONS AND SINGLE STOREY REAR EXTENSION**

#### **BRW/321/2009**

**Ward:** SHENFIELD

**Zoning:** Residential

**Parish:**

**Policies:** CP1

**Case Officer:** Louise Tweedie (Tel: 01277 312619)

#### **1. Proposals**

- Two storey extension to east side: 4.3m wide x 9.2m deep x 7.6m high; pitched roof
- Part two storey, part single storey side extension to west side: 4.3m wide x 6.6mm deep x 7.6m high (maximum dimensions); pitched roof.
- Single storey rear extension to west side behind the proposed two storey extension: 4.25m wide x 4m deep x 3.2m high; crown roof.

#### **2. Relevant History**

- ES/BRE/497/59: Addition of one room - Approved
- BRW/975/2008: Erection of 2No. two storey side extensions - Withdrawn.
- BRW/46/2009: Single storey side extension to west elevation together with two storey side extension to east elevation - Approved.

#### **3. Consultation Responses**

- **Highways:** No objections.

#### **4. Neighbour Responses**

- One letter of representation has been received which objects to the proposal on the basis that the proposal is too large and over-powering, particularly upon 4 Middleton Road. The letter states, inter alia, that the neighbourhood is spacious and therefore the proposal would be out of keeping with the street scene.

#### **5. Summary of Issues**

- The application is almost identical to a previously withdrawn application, reference BRW/975/2008 with the exception that a further single storey rear extension has been added.
- The street scene is predominantly made up of detached dwellinghouses in spacious plots. The neighbouring property, 4 Middleton Road is set back substantially and fails the 45 degree rule from the application site.

- It is considered that the proposed two storey side extension adjacent to 4 Middleton Road, by reason of its siting would be overbearing, to the detriment of the amenities of this occupier.
- Although the proposed first floor elements of the two storey side extensions are located one metre from the site boundary (with the ground floor extensions abutting the boundary), it is also considered that the resultant dwelling would appear cramped and give rise to loss of openness, to the detriment of the character and appearance of the street scene.
- In light of the above, it is considered that the proposal is contrary to Policy CP1 of the Brentwood Replacement Local Plan.

## **6. Recommendation**

### ***Refuse***

- 1) The proposed development would result in a cramped, incongruous form of development out of character with the existing immediate street scene along Middleton Road which is defined by well spaced and relatively large dwellings occupying spacious plots, by virtue of the limited space that would remain between the resulting dwelling on the site and the boundaries with neighbouring properties. As such the proposal would be contrary to Policy CP1 of the Brentwood Replacement Local Plan.
- 2) Notwithstanding reason 1 above, the proposed two storey side extension, by reason of its siting, would be overbearing upon and detrimental to the amenities of the occupier(s) of 4 Middleton Road, contrary to Policy CP1 of the Brentwood Replacement Local Plan.

### **Informatives**

- 1) I12 - Policies related to refusal
  - 2) The following plans are relevant to this decision: CHBC Architects Proposed Site Plan Drawing No. 08.6693.400, 08.6693.404, 08.6693.401, 08.6693.403, 08.6693.101, 08.6693.102, 08.6693.103, received on 22 May 2009.
-

## **MEADOW FARM BEGGAR HILL FRYERNING INGATESTONE BRENTWOOD**

### **CONSTRUCTION OF STABLE BLOCK WITH TACK/FEED ROOMS FOR PRIVATE USE AND MENAGE FOR PRIVATE USE WITH ASSOCIATED MEANS OF ENCLOSURE**

#### **BRW/324/2009**

**Ward:** INGATESTONE,  
FRYERNING &  
MOUNTNESSING

**Zoning:** Metropolitan Green Belt

**Parish:** Ingatestone & Fryerning  
Parish Council

**Policies:** CP1 GB1 GB2 GB26 T2

**Case Officer:** Kathryn Mathews (Tel: 01277  
312616)

#### **1. Proposals**

- Stable building: 24.6m in length x 7m in width and 4m in height (maximum dimensions); pitched roof.
- The stable building would accommodate 5no. stables for private use along with space for 2no. feed/tackrooms and a store room.
- The stables would be constructed using timber boarding for the walls and tiles to cover the roof.
- Menage: 40m in length x 20m in width and enclosed by 1.2m high fencing.

#### **2. Relevant History**

- **S191/BRW/8/2005** - Certificate of Lawfulness for use of agricultural barn as dwelling - issued

#### **3. Consultation Responses**

- **Highways:** no objections.
- **HoES:** no objection but recommends that conditions are attached requiring the location of any manure heap to be agreed and that there is no burning of manure on the site at any time. Some advice on drainage for stables is also provided for the applicant.
- **Ingatestone & Fryerning Parish Council:** has no objection, subject to Green Belt rules.

#### **4. Neighbour Responses**

- None.

## **5. Summary of Issues**

- Stables and menages are generally considered to be development which is not inappropriate to the Green Belt and so the proposal is considered to comply with Local Plan Policy GB1.
- The application sites benefit from being relatively well screened from view from beyond Meadow Farm by existing hedges and existing buildings although the development would be clearly visible from the public footpath which would run between the proposed stables and menage. However, it is considered that the proposed stable building, due to its size, design, position and external materials, would not harm the openness of the Green Belt. It is also considered that the proposed menage, due to its size and position, would not harm the openness of the Green Belt. Hence, it is considered that the proposal complies with Local Plan Policy GB2.
- Local Plan Policy GB26 states that, other than riding schools and livery stables referred to in Policy GB25, planning permission will not be given for the erection of new stables unless they are sited within or, exceptionally, immediately adjoining the curtilage of a dwelling. The proposed stables and menage would be adjacent to the existing buildings at Meadow Farm which includes a dwelling and two agricultural buildings and would not result in a proliferation of building activity in the Green Belt which Policy GB25 aims to prevent.
- Based on the advice of the Highways Authority, the development would not cause harm to highway safety.
- Based on the advice of the HoES, it is considered that the development would not cause harm to the amenity of the occupiers of neighbouring residential properties provided appropriate conditions are imposed relating to waste storage and disposal, and the installation of external lighting.
- As a result, it is considered that the proposal complies with Local Plan Policies GB1, GB2, GB26, CP1 and T2.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) Notwithstanding the information on the approved plans, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the stable building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.  
(**Reason:** In the interest of amenity.)
- 3) No paving or hardsurfacing shall be laid or formed within the land edged red or blue without the prior written consent of the local planning authority.  
(**Reason:** In the interests of amenity.)
- 4) AH1 - Manege - no commercial use
- 5) AH2 - Stables - no commercial use

- 6) AH3 - Siting of manure heap
- 7) There shall be no burning of stable waste anywhere within the land edged red or blue at any time.  
(Reason: In the interests of amenity.)
- 8) Prior to the commencement of development, details of all means of enclosure to be erected within the land edged red and blue shall be submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details.  
(Reason: In the interests of amenity.)
- 9) The stables and menage shall not be externally illuminated at any time without the prior written consent of the local planning authority.  
(Reason: In the interests of amenity.)
- 10) M12 - Retention of development as permitted
- 11) The following revised plans are relevant to this permission: Site Plan Rev. A, Block Plan Rev. A, Elevation Plan Rev. A and Floor Plan Rev. A, received on 23 June 2009.  
(Reason: For the avoidance of doubt.)

### Informatives

- 1) I11 - Policies related to approval
- 2) I8 - Accordance with approved plans
- 3) The applicant's attention is drawn to the contents of the attached 'Pollution Prevention Guidelines'.
- 4) The applicant is advised that the Council do not accept the area outlined in RED on the submitted location plan constitutes the domestic curtilage of the dwelling. Indeed, the applicant is advised that the existing dwelling does not currently benefit from a lawful domestic curtilage.

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## **5 PINE CRESCENT HUTTON BRENTWOOD**

### **FRONT PORCH AND REPLACEMENT OF DRIVEWAY**

#### **BRW/328/2009**

**Ward:** HUTTON NORTH

**Zoning:** Residential

**Parish:**

**Policies:** CP1

**Case Officer:** Helen Bealey (Tel: 01277  
312604)

#### **1. Proposals**

- Front porch 3.23m wide x 1.2m deep x 3.55m high, pitched roof.
- New block paving driveway to replace existing concrete driveway and increase of driveway, 7m wide x 5.05m deep (maximum dimensions).

## **2. Relevant History**

- PD/221/65: Kitchen extension
- BRW/763/75: Porch and covered area- Approved
- BRW/621/96: Two storey side extension- Refused

## **3. Consultation Responses**

- **Highways:** No objections

## **4. Neighbour Responses**

- None

## **5. Summary of Issues**

- The front porch is proposed to a semi-detached house.
- The porch extends forward by 1.2m, this is less than the 1.3m permitted by Appendix 5.
- The porch is considered to be compatible in size and design with the existing dwelling.
- The porch is located away from the boundary with the neighbouring dwellings and is considered to have an acceptable impact on the general amenities of neighbouring occupiers.
- The porch has a pitched roof and is considered to be a high standard of design and would have an acceptable impact on the street scene.
- The front driveway has been extended to improve disabled access to the house.
- Although the paved area is to be increased, an area of grass will remain.
- In light of the above, it is considered that the proposal complies with Policy CP1 of the Brentwood Replacement Local Plan.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) M7 - Obscure glazing
- 3) M2 - Matching materials
- 4) M10 - Retention of window pattern
- 5) M12 - Retention of development as permitted
- 6) The following plans are relevant to this permission: drawing numbers, 8306/1/08, 8306/2/08, the existing side elevation and the existing ground floor plans.  
(**Reason:** For the avoidance of doubt.)

## Informatives

- 1) It is recommended that the approved driveway is constructed using blocks laid over a properly constructed sub-base in accordance with the advice set out in Section 3 of the Guidance on the permeable surfacing of front gardens published by the Environment Agency.
  - 2) I11 - Policies related to approval
  - 3) I8 - Accordance with approved plans
- 

## **36 CRESCENT ROAD WARLEY BRENTWOOD**

### **REPLACEMENT OF REAR UPSTAIRS WINDOW WITH FRENCH DOORS AND JULIET BALCONY**

#### **BRW/330/2009**

**Ward:** BRENTWOOD WEST

**Zoning:** Residential

**Parish:**

**Policies:** CP1

**Case Officer:** Helen Bealey (Tel: 01277  
312604)

#### **1. Proposals**

- Replacement of rear upstairs window with French doors and safety balustrade.

#### **2. Relevant History**

- BRW/571/98: Formation of vehicular access- Approved
- BRW/194/2001: Erection of single and two storey extension at the rear- Approved.
- BRW/271/2005: Single storey extension at the rear- Approved.

#### **3. Consultation Responses**

- **Highways:** No objections

#### **4. Neighbour Responses**

- None

#### **5. Summary of Issues**

- The proposal is for the replacement of the rear upstairs windows with French doors and a safety balustrade at a semi-detached property.
- The windows will be located 0.9m away from the boundary with the adjoining property.

- Although the doors will be much bigger than the existing windows the balustrade only projects slightly forward from the wall of the property. Any overlooking into the private amenity space of the neighbouring property would be little different from the present situation and it is considered that the proposed doors and balustrade would have an acceptable impact on the general amenities of neighbouring occupiers.
- However, if the balustrade was to be removed, a balcony could potentially be created on the existing single storey rear extension, this could cause an unacceptable amount of overlooking, therefore a condition has been imposed restricting creation of a balcony over the existing extension.
- In light of the above, it is considered that the proposal complies with Policy CP1 of the Brentwood Replacement Local Plan.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) Notwithstanding the provisions of the Town & Country Planning Act 1990 and the Town & Country Planning (General Permitted Development) Order 1995, or any subsequent re-enacting Acts or Orders, no balcony enclosure, roof garden or similar amenity area shall be formed from the approved French doors onto the previously approved extension.  
(**Reason:** In the interests of the privacy and amenity of neighbouring occupiers.)
- 3) M2 - Matching materials
- 4) M10 - Retention of window pattern
- 5) M12 - Retention of development as permitted
- 6) The following plans are relevant to this permission: RefA- The OS site plan, RefB- current rear view of property, RefC- proposed alteration, the existing elevation plan and proposed elevation plan received on the 26/5/09.  
(**Reason:** For the avoidance of doubt.)

### **Informatives**

- 1) I11 - Policies related to approval
  - 2) I8 - Accordance with approved plans
-

## **104A PRIESTS LANE SHENFIELD BRENTWOOD**

### **TWO STOREY AND SINGLE STOREY SIDE EXTENSION, FIRST FLOOR SIDE EXTENSION, PITCHED ROOFS OVER EXISTING SINGLE STOREY FLAT ROOFS AND ALTERATIONS TO EXISTING FENESTRATION PATTERN**

#### **BRW/331/2009**

**Ward:** SHENFIELD

**Zoning:** Residential

**Parish:**

**Policies:** CP1 T2

**Case Officer:** Kathryn Mathews (Tel: 01277 312616)

#### **1. Proposals**

- Two storey side extension: 3.7m wide x 5.3m deep and 7.3m high (maximum dimensions); pitched roof.
- Single storey side extension (rear): 3.3m wide x 4.4m deep and 3.8m high (maximum dimensions); lean-to roof.
- Single storey side extension (front): 1.7m wide x 1.8m deep and 3.8m high (maximum dimensions); lean-to roof.
- First floor side extension: 3.1m wide x 4.2m deep and 7.3m high (maximum dimension); pitched roof.
- 2no. pitched roofs over existing flat roofs: 3.5m wide x 3m deep and 3.5m high (maximum dimensions); pitched roofs.
- 3no. velux roof lights would be added to the existing building along with roof glazing to proposed kitchen along the site's northern boundary.

#### **2. Relevant History**

- **BRW/1114/2007** - conversion of part of existing garage into habitable accommodation, single storey side extension to form link from outbuilding to main dwellinghouse, alterations to fenestration pattern of outbuilding, hip to gable roof extension to outbuilding, together with the formation of a mono-pitched roof - approved
- **BRW/1027/2008** - first floor front extension, two storey side extension, insertion of rooflights to form link to incorporate outbuilding into the main dwellinghouse, alterations to fenestration pattern - refused on the basis that the proposal, by reason of its size, bulk, mass and forward projection of the main dwellinghouse would be an overly dominant and prominent feature within the street scene.

#### **3. Consultation Responses**

- **Highways:** No objections.

#### **4. Neighbour Responses**

- None.

#### **5. Summary of Issues**

- It is considered that the proposed development, by reason of its position, height, bulk and design, would not be harmful to the amenity of the occupiers of neighbouring residential properties. The 45 degree rule would not be breached.
- It is also considered that the proposed development, by reason of its position, height, bulk and design would be compatible with the existing dwelling and the street scene and so would not be detrimental to local visual amenity. The first floor elements of the proposed extension would be at least 1m from the boundaries of the site. The extent of the first floor accommodation proposed has been reduced since planning permission was refused for a previous scheme (reference BRW/1027/2008), most notably the part of the extension which had been proposed forward of the front elevation of the existing and neighbouring dwellings. It is considered that this reduction is sufficient to overcome the reason why planning permission was refused for the abovementioned previously submitted scheme.
- Based on the advice of the Highways Officer, it is not considered that the development would be harmful to highway safety.
- As a result, it is considered that the development complies with Local Plan Policies CP1 and T2.

#### **6. Recommendation**

##### ***Approve***

- 1) T1 - Standard time
- 2) M6 - Obscure glazing and fixed shut
- 3) M7 - Obscure glazing
- 4) Notwithstanding the details on the approved plans, the materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in colour and texture those used in the existing building unless otherwise agreed in writing by the local planning authority.  
(**Reason:** In the interests of amenity.)
- 5) R14 - Site levels to be submitted
- 6) M10 - Retention of window pattern
- 7) M12 - Retention of development as permitted
- 8) The following plans are relevant to this permission: Site Plan and Block plan (un-numbered), drawing nos. 804/01 Rev. A, 804/02 Rev. A, 804/03 Rev. F, 804/04 Rev. F, 804/05 Rev. E and 804/06 Rev. B, received on 28 May 2009.  
(**Reason:** For the avoidance of doubt.)



- However, whilst the current proposal strictly fails to comply with Policy GB5, the proposed extension has an identical foot print to the single storey extension approved under the Certificate of Proposed Lawful Development, reference S192/BRW/3/2009, as not requiring planning permission.
- The extension approved under reference S192/BRW/3/2009 had a double pitched roof with a maximum height of 4m and with eaves that did not exceed the height of the eaves of the existing dwelling.
- The only difference between the current proposal and the extension approved under the certificate of proposed lawful development is that the current application proposes a single pitched roof with a maximum height of 4.75m, i.e. 0.75m higher than that previously approved as 'permitted development'.
- The proposed pitched roof would have a comparable height to the single storey extension at the rear and would be some 0.2m below the ridge of the original part of the dwelling.
- Given that the additional element of roof in the current application would be seen against the original roof of the dwelling, it is not considered that the minor addition to the bulk of this proposal as compared to that approved under the certificate of lawfulness would result in any loss of openness in the Green Belt.
- In light of the above, and subject to conditions set out below, it is considered the proposal satisfies the relevant criteria of Policies CP1 and GB2.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) Notwithstanding the details on the approved plans, the materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in colour and texture those used in the existing building unless otherwise agreed in writing by the Local Planning Authority.  
(**Reason:** In the interests of amenity.)
- 3) M10 - Retention of window pattern
- 4) R3 - Restricted use of roof area
- 5) R8 - No other extension prior to implementation
- 6) M12 - Retention of development as permitted

### **Informatives**

- 1) I11 - Policies related to approval
  - 2) I8 - Accordance with approved plans
-

## **1 ST. GEORGES COURT HUTTON BRENTWOOD**

### **SINGLE STOREY EXTENSION TO SIDE AND FRONT ELEVATIONS**

#### **BRW/343/2009**

**Ward:** HUTTON CENTRAL                      **Zoning:** Residential  
**Parish:**    **Policies:** CP1 T2  
**Case Officer:** Kathryn Mathews (Tel: 01277  
312616)

#### **1. Proposals**

- Single storey side extension to link main dwellinghouse with existing, detached garage: 6.8m long x 3.9m wide and 4.7m high (maximum dimensions); pitched roof.

#### **2. Relevant History**

- The application site has been the subject of numerous previous applications, the most recent being:-
  - **BRW/769/2002** - demolition of 7 Park Avenue and the erection of a replacement dwelling, formation of private drive and the erection of 3 chalet bungalows at the rear - refused; allowed at appeal
  - **BRW/1013/2002** -demolition of 7 Park Avenue, erection of replacement house fronting Park Avenue, formation of access drive and erection of 3 bungalows with garages at the rear - refused; allowed at appeal
  - **BRW/294/2003** - demolition of 7 Park Avenue, formation of access drive and erection of three bungalows with garages at the rear - approved

#### **3. Consultation Responses**

- **Highways:** No objections.

#### **4. Neighbour Responses**

- None.

#### **5. Summary of Issues**

- It is considered that the proposed development, by reason of its position, height, bulk and design, would not be harmful to the amenity of the occupiers of neighbouring residential properties.
- It is also considered that the proposed development, by reason of its position, height, bulk and design would be compatible with the existing dwelling and the street scene and so would not be detrimental to local visual amenity.



- Single storey side extension: 1.8m wide x 6.95m deep and 3.7m high (maximum dimension); lean-to roof.
- Roof over existing single storey flat roofed side/rear projection: 4.85m deep x 3.5m wide and 3.7m high (maximum dimensions); partly lean-to and partly pitched.

## **2. Relevant History**

- None.

## **3. Consultation Responses**

- **Highways:** No objections.

## **4. Neighbour Responses**

- None.

## **5. Summary of Issues**

- It is considered that the proposed development, by reason of its position, height, bulk and design, would not be harmful to the amenity of the occupiers of neighbouring residential properties.
- It is also considered that the proposed development, by reason of its position, height, bulk and design would be compatible with the existing dwelling and the street scene and so would not be detrimental to local visual amenity. Whilst the application site is located at the junction of Weald Road and Bardeswell Close, the proposed extension would be single storey in height and at least 1m from the boundaries of the site. Hence, it is considered that the development would not be overly visually prominent.
- Based on the advice of the Highways Officer, it is not considered that the development would be harmful to highway safety.
- As a result, it is considered that the development complies with Local Plan Policies CP1 and T2.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) Notwithstanding the details on the approved plans, the materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in colour and texture those used in the existing building unless otherwise agreed in writing by the local planning authority. (**Reason:** In the interests of amenity.)
- 3) R14 - Site levels to be submitted
- 4) M10 - Retention of window pattern
- 5) M12 - Retention of development as permitted

- 6) The following plans are relevant to this permission: drawing no. 1672:02 and drawing of existing dwelling received on 2 June 2009.  
(**Reason:** For the avoidance of doubt.)

### Informatives

- 1) I11 - Policies related to approval
  - 2) I8 - Accordance with approved plans
- 

## **77 MOUNT CRESCENT WARLEY BRENTWOOD**

### **TWO STOREY FRONT AND SIDE EXTENSION, SINGLE STOREY SIDE AND REAR EXTENSION.**

### **BRW/356/2009**

**Ward:** WARLEY

**Zoning:** Residential

**Parish:**

**Policies:** CP1

**Case Officer:** Helen Bealey (Tel: 01277 312604)

### **1. Proposals**

- Two storey front and side extension 6.7m wide x 9.8m deep x 7.4m high, pitched roof (maximum dimensions).
- Single storey side and rear extension, 6.5m wide x 7.15m deep x 3.8m high, pitched roof, with three rooflights (maximum dimensions).
- Front porch, 2m wide x 1.2m deep x 3.2m high, pitched roof.

### **2. Relevant History**

- PD/89/83: Rear extension
- PD/233/85: Internal alterations

### **3. Consultation Responses**

- **Highways:** No response at the time of writing this report.

### **4. Neighbour Responses**

- None

## **5. Summary of Issues**

- The two storey and single storey extensions are proposed to a detached property. The street in which the property is located has predominately large detached properties.
- The proposed two storey extensions comply with the 45 degree rule and are located at least 1m from the side boundary.
- The neighbouring property, 75 Mount Crescent, has some first floor side windows which will face the proposed two storey extension, however, these windows serve a bathroom. The 45 degree rule is not applied to 1st floor flank windows and it is not considered that the proposal would have an unacceptable detrimental impact on the property in terms of loss of light.
- The proposed front porch extends 1.2m further forward than the main front wall, and has a pitched roof, therefore complying with Appendix 5 of the Brentwood Replacement Local Plan.
- The proposed rear extension is to be built to the side of an existing single storey rear extension, approved in 1983. The proposed extension will not extend any further rearwards than this existing extension, which is 2.2m in depth.
- The single storey side extension will not extend any further to the side boundary than the existing garage and is located approximately 1.5m from the side boundary with 79 Mount Crescent.
- It is considered that the extensions would have an acceptable impact on the character and appearance of the surrounding area and would have an acceptable impact on the general amenities of neighbouring occupiers.
- In light of the above it is considered that the proposal complies with Policy CP1 of the Brentwood Replacement Local Plan.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) M2 - Matching materials
- 3) M10 - Retention of window pattern
- 4) M12 - Retention of development as permitted
- 5) The following plans are relevant to this permission: drawing numbers PS/2454.1/A, PS/2454.2/A, the site plan and the location plan.  
(**Reason:** For the avoidance of doubt.)

### **Informatives**

- 1) I8 - Accordance with approved plans
  - 2) I11 - Policies related to approval
-

## LAND ADJOINING 14 LANCASTER CLOSE PILGRIMS HATCH BRENTWOOD

### **VARIATION OF CONDITION 3 (RETENTION OF EXISTING FOOTPATH) OF PLANNING PERMISSION REFERENCE BRW/1036/2006 TO ALLOW THE TEMPORARY CLOSURE OF FOOTPATH DURING THE CONSTRUCTION PERIOD (A PERIOD OF APPROXIMATELY 2-3 WEEKS)**

#### BRW/357/2009

**Ward:** PILGRIMS HATCH                      **Zoning:** Residential  
**Parish:**    **Policies:** CP1 T2  
**Case Officer:** Kathryn Mathews (Tel: 01277  
312616)

#### **1. Proposals**

- Planning permission has been granted at the site for the demolition of the existing hall and construction of 2no. two bedroom chalet bungalows with associated parking and turning areas (with vehicular access via Hatch Road) (reference BRW/1036/2006) subject to conditions. Condition 3 of the planning permission requires that:

'The footpath identified along the northern and eastern boundaries shall be separated from the residential curtilage of the dwellings hereby approved in the form shown or as otherwise first agreed with the Local Planning Authority. It shall permanently remain open, clear of any obstruction and accessible to the general public.'

- The reason for imposing this condition was 'To retain public access in the interests of amenity'.
- The current planning application seeks to vary the requirements of this condition to allow the temporary closure of the footpath whilst the foundations for the approved dwellings are dug in the interests of the safety of the footpath users but only during the hours of 8am to 4pm Monday to Friday and for a period of approximately 2-3 weeks.

#### **2. Relevant History**

- **BRW/1036/2006** - demolition of existing hall and construction of 2no. two bedroom chalet bungalows with associated parking and turning areas (with vehicular access via Hatch Road) - approved

#### **3. Consultation Responses**

- **Highways:** Recommends that conditions are attached to the planning permission stating that an application to close the footpath needs to be submitted to the Highways and Transportation Manager at least ten weeks prior to the closure and that the footpath is not closed until a formal order for its closure is in place.

#### **4. Neighbour Responses**

- One letter of objection has been received on the basis that the footpath is used daily by residents and so its closure will cause considerable inconvenience, concern that proposal would increase parking and access problems in local area.

#### **5. Summary of Issues**

- It is considered that any inconvenience the temporary and intermittent closure of the footpath may cause is outweighed by the need to ensure the safety of the users of the footpath. On this basis and the consultation response of the Highways Officer, it is recommended that the wording of condition 3 of planning permission reference BRW/1036/2006 is amended to allow the temporary footpath closure proposed. It is not considered that the proposed footpath closure would be contrary to Local Plan Policies CP1 and T2.

#### **6. Recommendation**

##### ***Approve***

- 1) T1 - Standard time
- 2) The footpath identified along the northern and eastern boundaries of the application site shall be separated from the residential curtilage of the dwellings approved under planning permission reference BRW/1036/2006 in the form shown as part of that planning permission or as otherwise first agreed with the Local Planning Authority. The footpath shall permanently remain open, clear of any obstruction and accessible to the general public except for a period not exceeding a total of four weeks and only between the hours of 8am to 5pm on Mondays to Fridays while the approved dwelling's foundations are dug unless otherwise first agreed in writing by the local planning authority.  
(**Reason:** To retain public access in the interests of amenity.)
- 3) All conditions (except for condition 3) attached to planning permission ref. BRW/1036/2006 (to which this application represents an amendment) shall apply to the development hereby granted permission.  
(**Reason:** For the avoidance of doubt and in the interests of amenity.)
- 4) The footpath shall not be closed until a formal order for its closure from Brentwood Borough Council's Highways and Transportation Manager has been issued.  
(**Reason:** In the interests of highway safety.)

##### **Informatives**

- 1) I11 - Policies related to approval
- 2) I8 - Accordance with approved plans

- 3) An application to close the footpath needs to be submitted to Brentwood Borough Council's Highways and Transportation Manager at least ten weeks prior to the intended start of the temporary closure.
- 

## **59 HALL GREEN LANE HUTTON BRENTWOOD**

### **SINGLE STOREY REAR EXTENSION AND FORMATION OF PITCHED ROOFS OVER EXISTING FLAT ROOF TO THE REAR**

#### **BRW/364/2009**

**Ward:** HUTTON CENTRAL

**Zoning:** Residential

**Parish:**

**Policies:** CP1

**Case Officer:** Helen Bealey (Tel: 01277 312604)

#### **1. Proposals**

- Single storey rear extension 4.7m wide x 3.7m deep x 4m high, pitched roof, with glazed ridge element.
- Formation of pitched roofs over existing flat roof rear extension 4m high, with glazed ridge element.

#### **2. Relevant History**

- BRW/853/79: Rear second floor and two storey side extension- Approved.
- BRW/729/99: Erection of two storey extension at the front together with extension to roof- Approved.

#### **3. Consultation Responses**

- **Highways:** No comment at the time of writing this report.

#### **4. Neighbour Responses**

- None

#### **5. Summary of Issues**

- The single storey extension is proposed to be built to the rear of a detached property, the extension will be located to the rear of an existing extension.
- The total depth of the two extensions would be 8m in depth, however the neighbouring property, 61 Hall Green Lane, already benefits from extensions to the rear, and extends to the same depth as the existing extension at the application property.
- It is considered that the additional extension and the replacement roof would relate in design and size to the existing building.

- It is considered that the proposal would not have an unacceptable detrimental impact on the general amenities of neighbouring occupiers.
- In light of the above, it is considered that the proposal complies with Policy CP1 of the Brentwood Replacement Local Plan.

## **6. Recommendation**

### ***Approve***

- 1) T1 - Standard time
- 2) M2 - Matching materials
- 3) M10 - Retention of window pattern
- 4) M12 - Retention of development as permitted
- 5) The following plans are relevant to this permission: drawing numbers, 830/01, 830/02, 830/03, 830/04, the block plan and the site plan.  
(**Reason:** For the avoidance of doubt.)

### **Informatives**

- 1) I11 - Policies related to approval
- 2) I8 - Accordance with approved plans

## **20 BOWHAY HUTTON BRENTWOOD**

### **CROWN REDUCE BY 25% ONE OAK SUBJECT TO TREE PRESERVATION ORDER No. 1 OF 1971**

### **TPO/BRW/30/2009**

**Ward:** HUTTON SOUTH

**Zoning:** Residential

**Parish:**

**Policies:** C8

**Case Officer:** Andrew Laing (Tel: 01277 312611)

### **1. Proposals**

- Crown reduce by 25% one Oak located to the rear of the property

### **2. Relevant History**

- None

### **3. Consultation Responses**

- **Arboriculturalist:** The tree is a mature specimen that is growing close to the property. A 25% crown reduction will keep the tree in scale with the property whilst maintaining it's public amenity

#### **4. Neighbour Responses**

- None

#### **5. Summary of Issues**

- In light of the comments of the Arboriculturalist, it is considered that the proposed works are justified
- It is considered that the proposal would not adversely affect the visual amenities of the area and Policy C8 is met

#### **6. Recommendation**

##### ***Approve***

- 1) TR1 - Works to trees with supervision

##### **Informatives**

- 1) I11 - Policies related to approval
- 

### **34 PARK AVENUE HUTTON BRENTWOOD**

#### **FELL ONE SILVER BIRCH SUBJECT TO TREE PRESERVATION ORDER No. 69 OF 1992**

#### **TPO/BRW/33/2009**

**Ward:** HUTTON CENTRAL

**Zoning:** Residential

**Parish:**

**Policies:** C8

**Case Officer:** Andrew Laing (Tel: 01277 312611)

#### **1. Proposals**

- Fell one Silver Birch located to the rear of the property.

#### **2. Relevant History**

- TPO/BRW/54/1990: Crown thin and crown reduce by 1/3rd one Silver Birch and crown thin and crown reduce by 20% one Oak: Approved
- TPO/BRW/96/1993: Crown thin and crown reduce one Oak and one Silver Birch: Approved
- TPO/BRW/6/1996: Crown reduce by 20% one Silver Birch: Approved
- TPO/BRW/112/1998: Crown thin and crown reduce by 30% one Oak and one Silver Birch: Approved
- TPO/BRW/90/2002: Crown reduce and crown thin by 30% one Silver Birch: Approved

### **3. Consultation Responses**

- **Arboriculturalist:** The tree is a healthy mature specimen that contributes to the amenity of the area. There are no arboricultural reasons to remove the tree.

### **4. Neighbour Responses**

- There have been two letters of objection stating, inter alia that the tree is a superb specimen that is no way a problem to any of the buildings and that the grounds for making the application are insufficient to justify the felling of the tree. The applicant stated at the time of making a planning application to build on the site that he would not be removing any trees.

### **5. Summary of Issues**

- The tree is a healthy and attractive specimen which contributes greatly to the amenities of the area
- In light of this and given the lack of arboricultural justification for the work, the application is considered to fail to satisfy Policy C8

### **6. Recommendation**

#### ***Refuse***

- 1) The tree is a healthy, specimen that by reason of it's siting, contributes greatly to the visual amenities of the surrounding area. It is not considered that the reasons submitted with the application justify the loss of the tree.

#### **Informatives**

- 1) I12 - Policies related to refusal
-

**SECTION 2**

**PLANNING SERVICES**

**REPORTS ON ENFORCEMENT CASES**

There are no items to report this week

**SECTION 3**

**Applications REFERRED from Weekly Report No. 1391**

<b><u>Reference</u></b>	<b><u>Address</u></b>	<b><u>Development</u></b>	<b><u>Referred by</u></b>
BRW/160/2009	2 CLAPGATE COTTAGES MAGPIE LANE LITTLE WARLEY LITTLE WARLEY BRENTWOOD	TWO STOREY EXTENSION AT THE SIDE	Cllr Tee

**SECTION 4**

**MINOR AMENDMENTS to plans approved under delegated powers**

There are no items to report this week

## SECTION 5

### **APPEALS - LIST OF APPEALS RECEIVED**

**Reference:** A/BRW/10/2009

**Address:** JUNCTION OF WARELY HILL AND PASTORAL WAY THE  
GALLERIES WARLEY BRENTWOOD

**Development:** DISPLAY OF 1 NO. NON ILLUMINATED FREESTANDING  
ADVERTISEMENT BOARD SIGN

**Reference:** BRW/263/2009

**Address:** PLOT 3 OAKTREE FARM CHELMSFORD ROAD BLACKMORE  
BRENTWOOD

**Development:** CHANGE OF USE OF LAND TO PROVIDE 6 NO. RESIDENTIAL  
GYPSY PITCHES WITH HARDSTANDING, AMENITY LAREAS AND  
DAYROOMS ANCILLARY TO THAT USE, AND STABLING FOR  
HORSES

## SECTION 6

### **APPEALS - REPORTS ON APPEAL DECISIONS RECEIVED**

There are no items to report this week

## SECTION 7

### **ENFORCEMENT - LIST OF ENFORCEMENT COMPLAINTS WHERE POSSIBLE BREACH OF PLANNING CONTROL HAS BEEN IDENTIFIED**

There are no items to report this week

## SECTION 8

### **ENFORCEMENT - LIST OF ENFORCEMENT COMPLAINTS WHERE NO BREACH OF PLANNING CONTROL HAS BEEN IDENTIFIED OR WHERE ANY BREACH OF PLANNING CONTROL HAS CEASED OR BEEN REMEDIED**

Set out below is a list of enforcement complaints investigated where no breach of planning control has been identified and the complainant written to during the week ending 3rd July 2009 and advised accordingly.

Please contact the case officer for any further information (quoting the reference no.)

**Address:** THE OLD PUMP WORKS GREAT WARLEY STREET  
BRENTWOOD  
**Reference:** ENF/BRW/56/2009  
**Officer:** Thomas Finnin  
**Ward:** WARLEY  
**Parish:**  
**Alleged breach:** INSTALLATION OF LARGE ADVERTISEMENT SIGNS ON SIDE OF BUILDING. (The signs have been removed.)

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**Address:** LAND TO THE REAR OF 40 NAGS HEAD LANE BRENTWOOD  
**Reference:** ENF/BRW/143/2009  
**Officer:** Thomas Finnin  
**Ward:** SOUTH WEALD  
**Parish:**  
**Alleged breach:** CARAVAN ON THE LAND. (The caravan/mobile home is stationed in the rear garden and is used by the occupier of the main house as a garden building/summerhouse; it is less than 3 metres high and more than 2 metres from the boundary and therefore constitutes permitted development. no breach.)

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**Address:** GRANGE COURT THE LIMES INGATESTONE BRENTWOOD  
**Reference:** ENF/BRW/147/2009  
**Officer:** Tim Nicholson  
**Ward:** INGATESTONE, FRYERNING AND MOUNTNESSING  
**Parish:** Ingatestone and Fryerning Parish Council  
**Alleged breach:** INSTALLATION OF SIGNS FOR NEW OFFICES ON FRONTAGE TOO NEAR TO RESIDENTIAL PROPERTIES. SITE VISITED AND SIGN MEASURED AT 3.38SQM AND WOULD APPEAR TO BENEFIT FROM DEEMED CONSENT (CLASS 6).

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**Address:** WOODRISING MOUNT AVENUE HUTTON BRENTWOOD  
**Reference:** ENF/BRW/150/2009  
**Officer:** Tim Nicholson  
**Ward:** HUTTON SOUTH  
**Parish:**  
**Alleged breach:** EXTENSION TO DWELLINGHOUSE SUSPECTED NOT TO BE IN ACCORDANCE WITH THE APPROVED PLANS IN THAT BUILT CLOSER TO BOUNDARY. COMPLAINANT BELIEVES THAT THE EXTENSION IS 1.1M OR LESS FROM THE BOUNDARY WHILE PLANS STIPULATE SHOULD BE 1.2M. Site visit revealed compliance with the approved plans in terms of measured distance to boundary. No breach.

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**Address:** 61 ARDLEIGH COURT HUTTON ROAD SHENFIELD  
**Reference:** ENF/BRW/265/2008  
**Officer:** Tim Nicholson  
**Ward:** SHENFIELD  
**Parish:**  
**Alleged breach:** BUDDHIST TEACHING/PRAYER MEETINGS TAKING PLACE IN FLAT. Complainant reports that meeting no longer take place at the site. Breach resolved.

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**Address:** 9 HOGARTH AVENUE BRENTWOOD

**Reference:** ENF/BRW/309/2008

**Officer:** Tim Nicholson

**Ward:** BRENTWOOD SOUTH

**Parish:**

**Alleged breach:** COMPLAINANT ADVISES THAT SOMEBODY WHO IS POSSIBLY KNOWN TO THE RESIDENTS OF THE TWO RENTED FLATS AT NO. 9 IS LIVING IN A CARAVAN SITED WITHIN THE PROPERTY. THE CARAVAN HAS BEEN ON THE SITE SINCE APPROXIMATELY THE LAST WEEK IN SEPTEMBER 2008. NO EVIDENCE OF RESIDENTIAL OCCUPATION (ENVIRONMENTAL HEALTH). OWNER INDICATED THAT HE USED IT FOR DOMESTIC PURPOSES (MIXING MUSIC!). CALLED THE COMPLAINANT TO UPDATE HIM AND HE INDICATED THAT HIS CONCERN WAS RAISED DUE TO A LIGHT BEING ON IN THE CARAVAN AT NIGHT. No breach.

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