

**ADDENDUM FOR THE MEETING OF DEVELOPMENT AND REGULATION**  
**COMMITTEE 23 JULY 2021**

**Item 4.1 (DR/13/21) Shenfield Library, Hutton Road, Shenfield, CM15 8NJ**

**WHOLE REPORT**

The National Planning Policy Framework was revised on 20 July 2021, references throughout the report to the NPPF are therefore updated as follows:

Page 22 – The Revised National Planning Policy Framework (NPPF) was published on 20 July 2021 instead of February 2019

Page 23 – paragraphs 218 and 219 of the NPPF instead of paragraphs 212 and 213

Page 24 – paragraph 65 instead of paragraph 64

Page 36 – paragraph 93 instead of paragraph 92; paragraph 60 instead of paragraph 59; paragraph 69 instead of paragraph 68; and paragraph 119 instead of paragraph 117

**PAGE 20 – SITE**

Re-word fourth paragraph as: 'The site is designated for community use within the existing Brentwood Replacement Local Plan (2005) and is also an Asset of Community Value under the Localism Act (2011). The main commercial part of Hutton Road or the High Street is to the north-east towards Shenfield rail station. With residential properties located to the immediate west on Hutton Road and to the south on Friars Avenue.'

**PAGE 23 – CONSULTATIONS**

Replace BRENTWOOD BOROUGH COUNCIL (PLANNING) comments with the below and delete the paragraph headed 'ECC Officer Comment':

**Relationship with neighbouring properties**

The removal of the proposed roof terrace, with railings, adjacent to 61 Hutton Road, is an improvement. I am pleased to see that the revised drawings now show the main roof would be utilised for PV panels, behind an appropriate parapet. I am also pleased to see the step down is now accompanied by articulation or setting back of the remaining ground and first floor element in this area, which makes the change in scale of this lowered section look less of an afterthought.

The revised floor plans and elevations are now consistent in showing the proposed windows. The large and small side (west) windows to unit 1.05, a small window to 1.03, and similar windows to units 2.03 and 2.05 should be omitted, obscure glazed and non-opening or otherwise altered to avoid overlooking.

The rear facing windows are mostly in excess of the 15 metre window to boundary dimension given in the Brentwood Replacement Local Plan 2005 (The Development Plan) and Essex Design Guide. However, to reduce overlooking of neighbours, as well as the perception of it, the applicant should be encouraged to use methods of avoiding overlooking, e.g. directional windows, high level windows and obscure glazing, particularly with regard to the bedroom window and kitchen diner windows to units 1.05 and 2.05. I would suggest application of those methods in that order, as for example obscure glazing bedroom windows is generally a poor alternative. Obscure glazing a bathroom or ensuite window is acceptable. The balcony to 1.03 and 2.04, is contained by the building constraining overlooking of number 61 and measures over 19 metres to the boundary with 2 Friars Avenue.

The greater scale of the building in comparison to the existing building would be clearly perceptible from Friars Avenue, though this has been kept away from the outlook from 2 Friars Avenue and is to the north of that property thereby avoiding loss of sunlight. Due to the relative position of the buildings and orientation of 2 Friars Avenue, it appears that the rear elevation windows to the latter would not suffer a loss of daylight, assessed using the '25 degree rule'.

#### Affordable housing provision

It is noted that the proposal is now for nine dwellings and therefore falls below the threshold set out in paragraph 65 of the National Planning Policy Framework (NPPF) for the provision of affordable housing in urban areas.

#### Sustainability

As indicated above, the inclusion of solar PVs on the flat roof is a useful update to previous iterations, though there appears no green roof, which could make a contribution to managing water runoff. The information now provided on plant and safety equipment is helpful, though incomplete. It's not clear to me what the two dotted rectangles are on the section drawing (P017 Rev B) - there appears to be two groups of plant adjacent to the PVs (drawing P014 Rev B). They are not shown on the elevation drawings (P015 Rev C or P016 Rev B though are shown on some of the CGIs. Details should be provided to ensure that the building is not disfigured, which the CGI suggest it might be. Other buildings in the locality have been disfigured by plant and telecommunication equipment, which is less than ideal, but for a new building, all plant and supporting infrastructure should be discreetly located as part of the overall project. In this case any roof mounted infrastructure should be below the height of the parapet. There is no information relating to rainwater goods.

The Energy Statement refers to PVs and air source heat pumps though details indicating how they, or related infrastructure (vents etc), would affect the appearance of the building have not been provided, unless this is the plant indicated on the section referred to above.

I welcome the use of a 'Mansafe' system, to avoid unsightly protective fencing. No information has been provided relating to noise from plant. Furthermore, given the unknown occupier of the commercial unit and the flexibility within the amended use classes order, appropriate provision should be designed in to avoid unsightly

alterations due to the requirements of different potential uses in due course. It is noted that the range of uses in Class E has been limited, to reduce the potential to affect the amenity of neighbours.

### Design

The Urban Design consultee advising Brentwood, attended the pre application discussions and gave advice (included in the planning statement (page 29). While the redevelopment of the library site presents an opportunity for mixed use development and meaningful public realm for local residents, having assessed the submitted scheme, she advises that it has not fully addressed those aspects regarded and advised by her as being deficient; the relationship to the neighbouring property remains unresolved and the façade treatment has not progressed. In terms of the fabric first approach and incorporation of renewables, these remain vague and lacking in terms of the development principles. This has resulted in a proposal that is not an exemplar Public Building. As previously advised, she directs the applicant to Essex Quality Review Panel to enable further design development and specialist support.

Brentwood requires proposals of this type to go through the Essex Quality Panel, overseen by Place Services at Essex County Council. This should also be the case for this proposal, particularly given that it is a County Council proposal to be determined by the County Council. It has not been confirmed that County officers will require this to happen. Not having the proposal considered by the design review panel would be a matter of concern as it is a common requirement for other applicants, and it is not clear why the County should or wish to avoid such a review. It would also miss out on the advice and guidance the panel would provide to achieving a quality development.

### Parking

Parking provision is at 1:1 for the flats, one space unspecified space plus a delivery space but no provision for the commercial unit. This does not comply with the requirements set out in the 2009 parking standards. However, given the location of the site, the level of provision of residential parking appears appropriate. The provision of no parking for the commercial unit is acceptable given the small size of the unit, the access to local car parks and choice of modes of transport for staff travel.

## PAGE 26 – CONSULTATIONS

### Urban Design

Second paragraph, second sentence replace 'services' with 'service'

Second paragraph, third sentence delete second 'suitable'

## PAGE 29 – REPRESENTATIONS

Seventh comment replace 'tis' with 'is'

## PAGE 34 – REPRESENTATIONS

Second comment, relating to planning obligations, add new sentence under bullet points: 'In this instance it is not considered such a contribution could be justified, given the scale of the development and number of residential units proposed to be created.'

## PAGE 39 – DESIGN AND LANDSCAPING

First paragraph, second sentence delete 'to' after specifically

First paragraph, third sentence delete first 'in-front'

Third paragraph, last sentence re-word as: 'However, maintaining an acceptable relationship with 61 Hutton Road and the residential properties on Friars Avenue is fundamental to this and ensuring a precedent for further development at the scale is not made/set.'

Fourth paragraph, first sentence delete 'to' to read 'In terms of these relationships...'

## PAGE 40 – DESIGN AND LANDSCAPING

Second paragraph, first sentence delete first 'this' to read 'the elevational treatment of it support this'

## PAGE 41 - DESIGN AND LANDSCAPING

### Essex Quality Review Panel

First sentence, add after Essex Quality Review Panel ', as it is considered the Council should be leading by example in utilising the Panel as a marker for good practice'

Third sentence delete ',unlike Brentwood Borough Council,'

## PAGE 42 – AMENITY

Second paragraph, replace '1.5m' with 'approximately 1.2m', '14.5m' with 'approximately 13.6m' and '15.5m (at its closest point)' with 'approximately 14.5m (at its closest point) – however this is an increase in comparison to the existing relationship'

Second paragraph, delete fourth and fifth sentence

Third paragraph, first sentence replace 'units 1.01, 1.03 and 2.03' with 'units 1.01, 1.03, 1.05, 2.03 and 2.05'

Third paragraph, third sentence replace '24m' with 'approximately 19m'

Fifth paragraph, after last sentence add: 'The proposed bin store for the development is also enclosed, forming part of the built footprint on the ground floor adjacent to the servicing/disabled parking bay. In context of this, it is not considered that the development and the proposed location of the bin store would furthermore give rise to undue odour concerns or nuisance to nearby sensitive receptors.'

#### PAGE 46 AND 47 – RECOMMENDED

Conditions 3, 4, 5 and 7 re-word to: 'No development above damp proof membrane of the building hereby approved shall take place until...'

#### PAGE 46 – RECOMMENDED

Condition 4, re-word as:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification, all external windows to bathrooms and/or en-suites of the residential units hereby approved shall be obscured glazed to at least level 3 on the standard scale of obscurity. In addition, no development above damp proof membrane of the building hereby permitted shall take place until a finalised design for the external windows to residential units 1.03, 1.05, 2.03 and 2.05 has been submitted to and approved in writing by the County Planning Authority. The design details submitted shall seek to confirm installation angle/direction, glazing and whether the window would be fully, partially or non-opening. The development shall subsequently be implemented and permanently maintained in accordance with the approved details.

Reason: In the interest of residential amenity, to reduce the potential for overlooking between units 1.03 and 1.05 and 2.03 and 2.05 and to comply with policy CP1 – General Development Criteria of the Brentwood Replacement Local Plan (2005).

#### PAGE 49 – RECOMMENDED

Condition 12, re-word second sentence as: 'In addition to this, the access barrier shown on the same drawing shall at no time be installed closer than 6 metres back from the carriageway edge.'

#### PAGE 50 – RECOMMENDED

Condition 15, re-word as: 'No development shall take place until a Construction Management Plan covering:

- a) the proposed demolition of the existing building; and
  - b) the construction programme of the development hereby permitted
- has been submitted to and approved in writing by the County Planning Authority. The approved Plan(s) shall be adhered to throughout the demolition and construction period and provide for:
- an indicative timeline/timeframe for the proposed works;

- the proposed layout of compounds inclusive of areas proposed for the parking of vehicles of site operatives and visitors, the loading and unloading of plant and materials and the storage of plant and machinery;
- wheel and underbody cleaning facilities;
- routing of vehicles;
- measures proposed to reduce the potential for amenity impacts or nuisance (with specific reference to that requested by Brentwood Borough Council's Environmental Health Officer as part of their consultation response to this application); and
- measures proposed to minimise the risk of offsite flooding caused by surface water run-off and groundwater.

For the avoidance of doubt, this condition may be discharged in two parts, to enable the demolition of the existing building prior to the submission and approval of a Plan covering the construction phase.'

#### PAGE 51 – RECOMMENDED

Condition 17 reason, replace 'in line with paragraph 170 of the NPPF and to comply with policy PC1...' with 'to comply with the NPPF and policy PC1...'

#### **Item 4.2 (DR/14/21) Paxman Academy, Paxman Avenue, Colchester CO2 9DQ**

#### WHOLE REPORT

The National Planning Policy Framework was revised on 20 July 2021, references throughout the report to the NPPF are therefore updated as follows:

Page 22 – The Revised National Planning Policy Framework (NPPF) was published on 20 July 2021 instead of February 2019

Page 55 – paragraphs 218 and 219 of the NPPF instead of paragraphs 212 and 213

Page 60 – Paragraph 99 instead of paragraph 98

Page 62 – paragraph 99 instead of paragraph 98

#### PAGE 58 – REPRESENTATIONS

5<sup>th</sup> point should read "Acoustic fence is a wasted expense as I have lived here for 40years and I never had a problem with noise but have learnt a few new words from pupils over the years."

#### PAGE 62 - POLICY CONSIDERATIONS & IMPACT ON THE EXISTING PLAYING FIELD

Last line of 6<sup>th</sup> paragraph should read "... year round facilities and enable an improved sports curriculum to be provided for pupils."

## PAGE 65 – IMPACT ON RESIDENTIAL AMENITY

2nd sentence of 3<sup>rd</sup> paragraph should read “This application does not seek community use.”

## PAGE 66 – IMPACT ON RESIDENTIAL AMENITY

New sentence at end of 2<sup>nd</sup> paragraph “One local resident requested an outdoor meeting with the applicant at the school and commented that the project would be an absolute asset to the pupils of the school. The availability of being able to play sports in all weathers is essential to wellbeing, good mental health, fitness and research shows exercise improves learning.”