

Planning Statement

Proposed addition of 1 no. existing residential Annex and the nearby parking space into a company commercial use to facilitate a small-scale office (Use Class E (g) (i) - Offices to carry out any operational or administrative functions

The Annex, 10, Broadoaks Crescent, Braintree, Essex, CM7 9FD

Applied by Vasile Bivol and Alisa Goras
The owners of the 10, Broadoaks Crescent property

Date:11/05/2021

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1. Introduction

- 1.1 This Planning Statement has been prepared by Vasile Bivol (hereafter referred to as the “applicant”) in support of a full planning application seeking the proposed addition of use of existing domestic outbuildings to small-scale office use (Use Class E (g) (i)) at the Annex, 10, Broadoaks Crescent, Braintree, Essex, CM7 9FD.
- 1.2 The description of development is as follows:

“Proposed addition of 1 no. existing residential Annex and the nearby parking space into a company commercial use to facilitate a small-scale office (Use Class E (g) (i)” - **Offices to carry out any operational or administrative functions**

Background/Need for Proposal

- 1.3 The only applicant’s existing registered office is at their accountants at 1339, High Road, London, N20 9HR. The applicant never had any office for their construction company since it was founded 15 years ago. Quite many times their clients wanted to meet at the applicant's company office as well as their employees needed to work offsite in a separate and quite place. The Annex was occupied by the Applicant's parents time to time despite it could be rented in the future as a residential property or as an office. That is why both uses would be needed for the Applicant.
- 1.4 The application site building is located within a short distance from the main road bus station leading to Colchester and Stanstead Airport as well as the Tesco Superstore. No alterations to the Annex and the main house buildings are proposed and the employees utilising the buildings are anticipated to be no more than 3 or 5 at any one time. There would not be any parking space issues as the property has got a large and private space for about 8 cars. There is an electric automatic gate which does not make any noise and in fact will make safer the cars and the office from the trespasses. But the Applicant will encourage their employees and even their guests to use the main road as there are plenty of other and free parking spaces. Obviously not many people like to drive their cars into a private road as could have issues with reversing and moving their vehicles at the end of the road.

Planning Application Documents

- 1.5 There is no new architectural plans or drawings as there would not be any modification to any internal walls or external layout however all the drawings for the Annex had been approved and build as previously planned in 2003. The proposed drawings and plans had been produced by the previous architect like A J Porter who submitted the Application to change the use to allow a separate use on 25 of April 2018 for the applicant. The Application was granted on 04/07/2018 and everything is registered in the Braintree council planning portal and are as follows:

Title	Drawing Number
Proposed ground floor and first floor annex conversion	180040901 and 18040901/1, /2, /3, /4 MESSER:01, 02
External View Elevation /Section	180040901/5
Block plan; site location plan and floor plans, electric gate, etc – as proposed	1800040901/4 1800040901/8

1.6 In addition, the application is accompanied by this Planning Statement.

Purpose and Structure of this Report

1.7 The purpose of this report is to draw together the main planning issues in the consideration of this proposal.

2. Site and Surroundings

- 2.1 The proposed area subject to this planning application is known as 'The Annex, 10, Broadoaks Crescent, Braintree, Essex, CM7 9FD which relates to the land edged on the Site Location Plan submitted in support of this planning application and as indicatively outlined in figure 1 below.
- 2.2 The application site is situated at the right end of the road of Broadoaks Crescent at the East of the urban area of Braintree town accessed via Coggeshall Road/Bridport Way. This is the right side from the roundabout or opposite Marks Farm Tesco Superstore and it is highlighted with a blue line. The main road from the Centre of Braintree is leading to Coggeshall and A120 towards Colchester.
- 2.3 10, Broadoaks Crescent itself sits on a substantial 0.3 acres plot including associated access from Broadoaks Crescent. Given the semi-rural nature of this location the site is well screened from beyond its own boundaries on all sides.
- 2.4 The application site is not located within a Conservation Area and the subject dwelling is not listed or within the curtilage of a listed building.

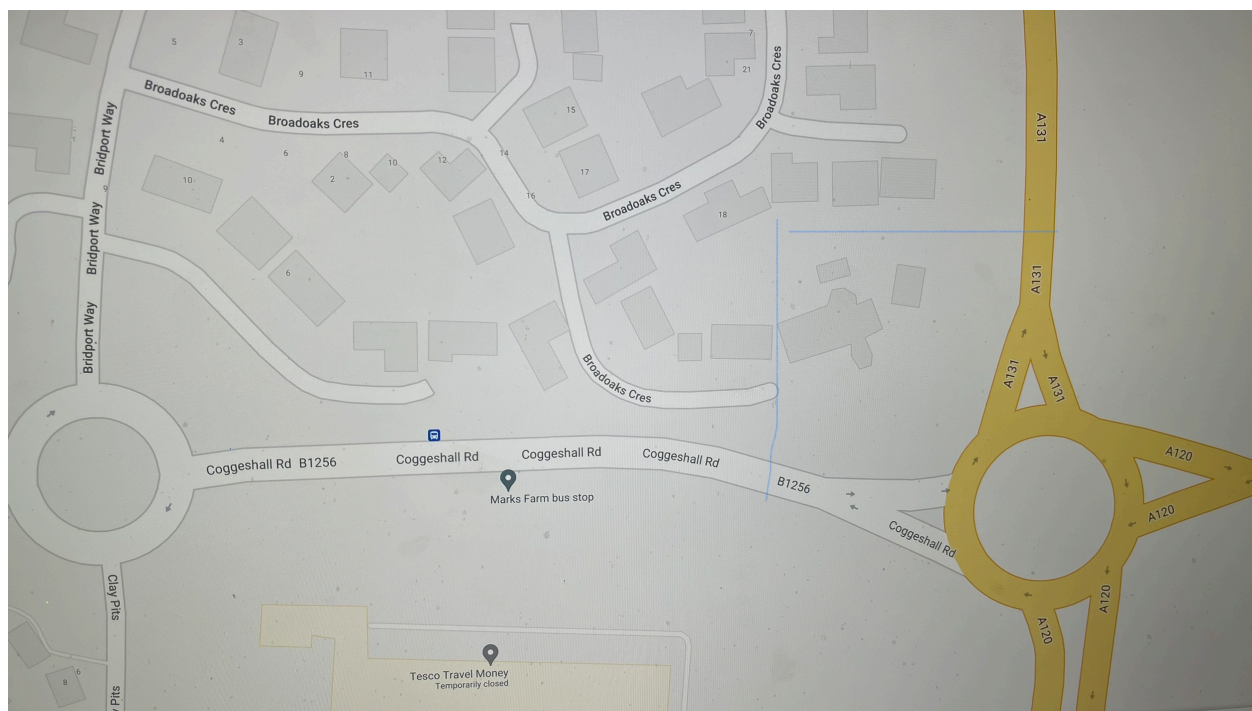


Figure 1: Aerial map view of site and surrounding area.

3. Planning History

3.1 Although the application site has some recent planning history it has a vast planning history and a direct relevance to this proposal.

The full details of all application submissions, comments and granted planning permissions is registered in the Braintree Planning portal website.

4. The Proposed Development

- 4.1 This planning application seeks full/partial planning permission for the proposed addition and change of use of the annex to a small-scale office for a company use (Use Class E1(g) (i)) and the nearby parking space, at the annex, 10, Broadoaks Crescent, Braintree, Essex, CM7 9FD.

“Proposed addition of 1 no. existing residential Annex and the nearby parking space into a company commercial use to facilitate a small-scale office (Use Class E (g) (i)) - Office to carry out any operational or administrative functions”

- 4.2 No alterations are proposed to the semidetached Annex and the main house which is connected to each other. As no building works will be done there will be no detrimental impact by way of noise or disturbance.
- 4.3 Normal office hours are 8 - 6 pm are proposed, and it is proposed to utilise the existing access point off Broadoaks Crescent. There is sufficient space within the main Broadoaks Crescent Road as well as on Bridport Way of the site to provide adequate turning space and parking provision.

5. Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such a Government Policy or emerging Local Policy.
- 5.2 The statutory development plan for this area comprises Braintree District Council's Adopted Core Strategy (BDCS) (2009), and Saved Policies of the Adopted Local Plan Review (BDLPR) (2005). The Council is also in the process of preparing a new Local Plan which was submitted to the Secretary of State (SoS) in late 2017.
- 5.3 Government planning policy is currently set out in the revised National Planning Policy Framework (NPPF) (July 2018) which is an important and significant material consideration in the determination of planning applications. The NPPF also stresses the importance of up-to-date Local Plans in decision making. The presumption in favour of sustainable development principle contained within the NPPF makes clear that where the development plan is absent, silent or out of date, permission should be granted unless the adverse impacts of development will significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate otherwise.
- 5.4 Therefore, in terms of assessing the relevant planning policies applicable to the application site, this chapter covers the following:
- **Braintree District Council's Adopted Core Strategy (2009)** – Provides the vision, objectives and overarching planning policies and strategy for the spatial development of the District for the next 10 to 15 years;
 - **Braintree District Council's Adopted Local Plan Review Saved Policies (2005)** – Sets out the Council's proposals for land-use and development in the District;
 - **Braintree District Council's Publication Draft Local Plan (2017)** – The Council's new long-term strategy for the District drawing up a clear and up-to-date Local Plan that meets local development needs and reflects the views of local people on how they wish their area to develop covering the period up to 2033; and
 - **National Planning Policy Framework (2018) (NPPF)** – Relevant as it sets out the Government's overall approach to decision-taking.

Adopted Core Strategy

- 5.5 The Council's Core Strategy sets out a spatial strategy and strategic planning policy framework for the Borough. It contains a vision and strategic objectives for growth, key development principles, detailed core thematic policies and a monitoring and implementation framework. The Core Strategy is a strategic level document that provides the framework for subsequent planning documents, including the Council's Development Management Documents.
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- 5.6 Table 1 below provides a summary of the most relevant Core Strategy policies in relation to this proposal and how the proposed development the subject of this planning application complies with them.

Adopted Core Strategy Policy	Relevant Provisions within Planning Application
Core Policy CS 5 (The Countryside) <i>seeks to strictly control development to uses appropriate to the countryside, in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside.</i>	The site is located in a countryside location and seeks the re-use of an existing building for a temporary business re-use which is supported by other policies of the local development plan. See section 6 of this planning statement for further detailed consideration in this regard.
Core Policy CS 9 (Built and Historic Environment) <i>seeks to promote and secure the highest possible standards of design and layout in all new development.</i>	The proposal provides an appropriate small-scale re-use which would be acceptable in the location proposed. See section 6 of this planning statement for further detailed consideration in this regard.

Table 1: Assessment of application against adopted Core Strategy Policies.

- 5.7 For the above reasons, it is considered that the proposed development accords with the adopted Core Strategy in these respects.

Adopted Local Plan

- 5.8 The Adopted Local Plan contains policies for all types of planning application from householder extensions to major residential, commercial and mixed-use development and is used by the Council's Planning Officers and Planning Committee to make decisions on planning applications.
- 5.9 Table 2 below provides a summary of the most relevant adopted Local Plan policies in relation to this proposal and how the proposed development the subject of this planning application complies with them.

Adopted Local Plan Saved Policy	Relevant Provisions within Planning Application
<p>Policy RLP 35 (Non-Conforming and Un-Neighbourly Industry) sets out that planning permission will not be granted for the redevelopment of sites where industrial or commercial uses are the cause of disturbance to neighbouring residential areas, or which seriously detract from the character of their surroundings.</p>	<p>Given the nature and small-scale nature of this proposal together with its proximity to its nearest neighbours it is considered that such a proposal is fully compliant with the objectives of this policy.</p>
<p>Policy RLP 38 (Conversion of Rural Buildings) <i>sets out the conversion of rural buildings (including modern buildings) for business re-use will be permitted provided that they are of permanent and substantial construction and capable of conversion without major extension or complete reconstruction.</i></p>	<p>The existing buildings are of a permanent and substantial construction and which have been in-situ for a considerable period of time as is reflected by the existing context. The proposal seeks a business re-use of this property and therefore, in principle, is acceptable with the provisions of this policy.</p> <p>See section 6 of this planning statement for further detailed consideration in this regard.</p>
<p>Policy RLP 40 (Minor Industrial and Commercial Development in the Countryside) <i>sets out that, in the countryside, minor industrial and commercial development/small-scale proposals will normally be considered favourably subject to the full criteria as set out by the policy.</i></p>	<p>The proposal constitutes such small-scale commercial development and confirms full compliance with the requirements of this policy.</p> <p>See section 6 of this planning statement for further detailed consideration in this regard.</p>
<p>Policy RLP 56 (Vehicle Parking) <i>seeks new development to provide off-street vehicle parking in accordance with the Council's Adopted Parking Standards.</i></p>	<p>The proposal includes sufficient parking and turning space to serve the development in line with the Council's adopted parking standards.</p>
<p>Policy RLP 90 (Layout and Design of Development) <i>seeks to ensure a high standard of layout and design in all new developments.</i></p>	<p>The proposal provides an appropriate small-scale re-use which would be acceptable in the location proposed.</p> <p>See section 6 of this planning statement for further detailed consideration in this regard.</p>

Table 2: Assessment of application against most relevant Adopted Local Plan Saved Policies.

- 5.10 For the above reasons, it is considered that the proposed development accords with the adopted Local Plan in these respects.

Publication Draft Local Plan

- 5.11 The Council’s Draft Local Plan sets out the new long-term planning strategy for the district drawing up a clear and up-to-date Local Plan that meets local development needs and reflects the views of local people on how they wish their area to develop covering the period up to 2033.
- 5.12 Table 3 below provides a summary of the most relevant Draft Local Plan policies in relation to this proposal and how the proposed development the subject of this planning application complies with them.

Draft Local Plan Policy	Relevant Provisions within Planning Application
<p>Draft Policy LPP 8 (Rural Enterprise) <i>sets out that, outside development boundaries, proposals for small-scale commercial development, which involve the conversion and re-use of existing buildings that are of permanent and substantial construction and capable of conversion without complete re-building, will be considered acceptable subject to compliance with the full criteria of the policy.</i></p>	<p>The existing buildings are of a permanent and substantial construction and which have been in-situ for a considerable period of time as is reflected by the existing context. The proposal seeks a business re-use of this property and therefore, in principle, is acceptable with the provisions of this policy.</p> <p>See section 6 of this planning statement for further detailed consideration in this regard.</p>
<p>Draft Policy LPP 45 (Parking Provision) <i>seeks new development to provide off-street vehicle parking in accordance with the Council’s Adopted Parking Standards.</i></p>	<p>The proposal includes sufficient parking and turning space to serve the development in line with the Council’s adopted parking standards.</p>
<p>Draft Policy LPP 50 (Built and Historic Environment) <i>seeks to ensure the highest possible standards of design and layout in all new development.</i></p>	<p>The proposal provides an appropriate small-scale re-use which would be acceptable in the location proposed.</p> <p>See section 6 of this planning statement for further detailed consideration in this regard.</p>
<p>Draft Policy LPP 55 (Layout and Design of Development) <i>seeks a high</i></p>	<p>The proposal provides an appropriate small-scale re-use which would be acceptable in the location proposed.</p>

<i>standard of layout and design in all new developments.</i>	See section 6 of this planning statement for further detailed consideration in this regard.
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Table 3: Assessment of application against most relevant Draft Local Plan Policies.

5.13 For the above reasons, it is considered that the proposed development accords with the policies of the Draft Local Plan in these respects.

5.14 BDC has also adopted the following relevant Supplementary Planning Documents (SPDs):

- Essex Design Guide (2005);
- Urban Place Supplement excluding sections 5.8, 6.2, and 7.0 – 7.3 (2007); and
- Parking Standards: Design and Good Practice (September 2009).

National Planning Policy Framework (NPPF) (July 2018)

5.15 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied.

Achieving sustainable development

5.16 Paragraphs 7 to 14 of the NPPF set out that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF details that there are three objectives to sustainable development which give rise to the need for the planning system to perform a number of roles:

- **Economic** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **Social** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- **Environmental** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

5.17 The NPPF is clear that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. The NPPF adds that the planning system should play an active role in guiding development to

sustainable solutions.

The presumption in favour of sustainable development

- 5.18 Paragraph 11 explains that at the heart of the NPPF is the “presumption in favour of sustainable development”. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay, and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Building a strong, competitive economy

- 5.19 Paragraph 80 of the new NPPF sets out that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt adding that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Supporting a prosperous rural economy

- 5.20 Paragraph 83 sets out that planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings as well as the development and diversification of agricultural and other land-based rural businesses.
- 5.21 Paragraph 84 of the NPPF sets out that *“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”*

Promoting sustainable transport

- 5.22 Paragraph 103 of the NPPF sets out that *“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise*

sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

Making effective use of land

- 5.23 Paragraphs 177 and 188 of the NPPF set out that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”* It adds that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land. 44. Paragraph 118 expands on this further by highlighting that planning policies and decisions should encourage multiple benefits from both urban and rural land, including through taking opportunities to achieve net environmental gains as well as promoting and supporting the development of under-utilised land and buildings.

Achieving well-designed places

- 5.24 Paragraph 130 of the new NPPF makes clear that, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Paragraph 131 adds that, in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 5.25 As is confirmed within this Planning Statement and supporting plan detail the proposal is of a high quality demonstrating full compliance with the relevant design-related policies of the adopted Local Plan.

Decision-Making

- 5.26 Importantly Paragraph 38 of the NPPF sets out that Local planning authorities should approach decisions on proposed development in a positive and creative way and should use the full range of planning tools available. It also requires that LPAs work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and decision-makers at every level should seek to approve applications for sustainable development where possible.
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6. Consideration of the Main Issues

6.1 This section considers the following key planning issues, which are considered to be pertinent to the proposals:

- (a) Land Use/Principle of Development;
- (b) Design & Layout;
- (c) Amenity Considerations; and
- (d) Highways.

(a) Land Use/Principle of Development

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such a Government Policy or emerging Local Policy. Therefore, the adopted local development plan represents the starting point in consideration of this matter.

6.3 Notwithstanding this Saved Policies RLP 38 and RLP 40 of the Council's adopted Local Plan Review (2005) establish a principle for development such as that proposed subject to a number of criteria as outlined below:

- The form, bulk and general design of the proposal is in keeping with its surroundings;
- There would be no unacceptable impact on the landscape or protected species or historic environment;
- Safe and satisfactory vehicular access and egress can be provided together with adequate space within the curtilage to accommodate car parking to the Council's standards and lorry manoeuvring without detriment to the setting of the building residential amenity and the landscape within which it is located;
- The scale and frequency of traffic generated can be accommodated on the road system without adverse effects on the road system itself, residential amenity or the character of the countryside; and
- The proposal includes no open storage of goods, containers, waste materials or finished products.

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- 6.4 Firstly, the proposal seeks to retain the existing bulk and general design ensuring it remains in keeping with its surroundings, no changes are proposed to the external appearance of the buildings. Subsequently the proposal would not have an unacceptable impact on the landscape and it is not considered that the proposal would adversely affect ecological or historic environment considerations given the nature of the existing buildings.
- 6.5 Secondly, as the submitted plans highlight the proposal would utilise the site's existing access serving Broadoaks Crescent which is safe and satisfactory together with sufficient space within the site to provide adequate turning space and parking provision without detriment to the setting of the building, residential amenity and the landscape within which it is located. Given the small-scale and level of intensity associated with such re-use traffic generated can be accommodated on the road system without adverse effects on the road system itself, residential amenity or the character of the countryside.
- 6.6 In addition, the applicant confirms that no open storage of goods, containers, waste materials or finished products is proposed as part of this planning application.
- 6.7 Given the nature of the proposals and their level of self-containment it is unlikely that they would result in any adverse impact on the surrounding environment.
- 6.8 Therefore, given the proposal's general level of sustainability and compliance with such Saved Local Plan policy it is considered that such proposals are fully acceptable in principle.

(b) Design & Layout

- 6.9 Core Strategy Policy CS9 Built and Historic Environment seeks to promote and secure the highest possible standards of design and layout in all new development and the protection and enhancement of the historic environment. While the adopted development plan requires proposal for new development to be in harmony with the character and appearance of the surrounding area.
- 6.10 The proposed development requires no changes to the external appearance of the buildings ensuring that there is no detrimental impact to the landscape and no impact on the historic environment.

(c) Amenity Considerations

- 6.11 A core principle of the NPPF is that development should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy RLP90 of the Adopted Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties.
- 6.12 Taking into account the position of the buildings, their scale and form and their proximity to the host dwelling as well as other neighbouring residential sites, it is considered that the proposal would not have a detrimental impact upon adjacent residential properties in terms of loss of natural light, overshadowing, overbearing or overlooking,
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- 6.13 B1 use classes have been deemed appropriate within residential areas due to the associated low level of disturbance. There are no works proposed to the buildings and normal working hours are proposed, the buildings are not located in close proximity to residential dwellings and due to the small-scale of the site and nature of the use, it is considered that the generation of noise and traffic will not have a detrimental impact on neighbouring occupiers by way of noise or disturbance beyond an acceptable level.

(d) Highways

- 6.14 The site would utilise an existing vehicular access which maintains sufficient space within the site to provide adequate turning space, and parking provision as detailed above. Given the small-scale and level of intensity associated with such re-use traffic generated can be accommodated on the nearby road system without adverse effects on the road system.

7. Conclusion

- 7.1 On top of the residential use, the proposal comprises the small-scale addition of use of existing domestic annex to a small-scale office for the aforementioned reasons.
- 7.2 The applicant has demonstrated that the proposed development constitutes sustainable development and that the proposal would not have an adverse impact on the character of the countryside, amenity considerations and general locality and will result in an enhancement to the site, surrounding area and local environment through the building's beneficial re-use and contribution to the local rural economy.
- 7.3 The proposal has demonstrated compliance with the Council's relevant standards in respect of employment, amenity, highways, biodiversity and overall sustainability ensuring that net gains are achieved in the three dimensions to sustainable development (economic, social and environmental) ensuring a sustainable form of redevelopment is achieved as a result. The applicant has therefore concluded that the proposal is acceptable in all regards and complies with the relevant policies of the development plan and the NPPF.
- 7.4 For the reasons set out above, the application proposals demonstrate sustainable development. Having regard to this, the Council is respectfully requested to look favourably over these proposals and grant the planning permission accordingly.
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