

89 High Street, Billericay, Basildon
Planning Statement

Klara 89 Limited
February 2024

tor
&CO

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1.0 Introduction

- 1.1 This Planning Statement has been prepared by tor&co and is submitted on behalf of Klara 89 Limited (the 'Applicant') in respect of an application for full planning permission for the creation of 7 x residential units at 89 High Street, Billericay, CM12 9AT, Basildon (the 'Site').
- 1.2 The application is submitted to Basildon Borough Council ('BBC') and sets out the planning case in support of the proposals in the context of national, regional, and local planning policy guidance.
- 1.3 The description of the proposed development ('the Proposed Development') is set out below:

Proposed partial change of use of the existing building from Class E to Class C3, with works including infill loft extension, introduction of south facing dormer and a 1.5-storey rear and upward extension to create 7 x self-contained C3 residential units; plus façade amendments to incorporate new windows; removal of ATM and reinstatement of front façade window; alongside associated landscaping, parking, and refuse storage.

- 1.4 This application is submitted alongside a separate standalone full planning application within the curtilage of the property for a proposed development comprising 2 x semi-detached houses within the rear car park of 89 High Street. Collectively, both applications will deliver comprehensive development of the vacant brownfield site.
- 1.5 The structure of this Planning Statement is as follows:
- **Section 2** details the background and context for the Site, including its planning history;
 - **Section 3** outlines the Proposed Development;
 - **Section 4** sets out the relevant planning policy framework for the Site;
 - **Section 5** evaluates the application proposal in the context of the planning policy framework and other material considerations; and
 - **Section 6** summarises our conclusions.

Supporting Information

- 1.6 This Statement should be read alongside the following documents which are also submitted to reflect the Proposed Development:

Document Title	Prepared by
Application Form, Covering Letter and Notices	tor&co

Existing and Proposed Drawings	T2S Architecture
Design & Access Statement	T2S Architecture
Planning Statement	tor&co
Heritage Statement	Orion
Daylight & Sunlight Report (within development)	Right of Light Consulting Ltd.
Daylight & Sunlight Report (neighbouring properties)	Right of Light Consulting Ltd.
Noise Impact Assessment	Venta Acoustics
Transport Assessment	TTP Consulting

2.0 Site Context & Planning History

Existing Site

- 2.1 The Site relates to an existing commercial building located at 89 High Street within Billericay Town Centre. The building is situated on a corner plot, bounded by Rose Lane to the south, which is a private access road. The Site is c. 409sqm in area.
- 2.2 The existing building at 89 High Street is raised in red brick in an English bond and dates from the late 19th century. Formerly a branch of Lloyds Bank, the building is now unoccupied. The front part of the building is two and a half storeys in height including a vacant loft space. The building has a rectangular shape and a pitched clay tile roof with cross gables. The prominent jettied High Street facing gable has mock-Tudor cladding and painted pargetting at its apex. A smaller brick cross-gable is located at its corner above the main entrance to the building. The rear (north-west) elevation of the building consists of a modern single storey brick extension that includes 3 x rooflights. The building's fenestration consists of segmented glazed timber sliding sashes, many of which date from the late 19th century.
- 2.3 To the rear of the Site comprises a small tarmac covered car parking area with capacity for 11 x car parking spaces within the curtilage of the Site. This part of the property is being proposed to be redeveloped to enable the construction of 2 x semi-detached houses as part of a separate standalone planning application.
- 2.4 Part of the site also forms a small surface car park located to the rear of 91-95 High Street accommodating which comprises 26 x car parking spaces. The freehold of the adjacent car park is owned by the applicant and 20 x of the existing car parking spaces within this car park are allocated to the neighbouring Squire House development. There remain 6 x unallocated parking spaces which are proposed to be utilised to support the proposed development of 89 High Street.
- 2.5 The Site is situated within Billericay Conservation Area and is located directly to the north of the Rose Lane (private road) and the Offices of North Thames Gas Board building at 91, 93 and 95 High Street which are Grade II Listed buildings. Other nearby Grade II Listed buildings include 72, 74A, 74 and 74B, High Street which is located directly opposite the Site across the High Street. 89 High Street is also noted as a Building of Townscape Value as per the Billericay Townscape Appraisal Map accompanying the Billericay Conservation Area Character Appraisal.
- 2.6 The Site is directly adjoined to the north by a 3-storey mixed use building (Squire House) comprising ground floor retail and 20 x residential units. This site also benefits from a recent allowed appeal for an additional 4th floor comprising 3 x additional units – noting this has yet to be implemented. To the west/north-west of the Site, accessed via Rose Lane, is a group of 2.5 storey residential homes.
- 2.7 The majority of the nearby town centre buildings are predominantly 2-3 storeys in height and either entirely commercial or mixed use with GF commercial uses and residential uses above.

- 2.8 In terms of access, pedestrian access is gained to the commercial unit directly from High Street into the eastern side of the building. There is also a rear pedestrian access off Rose Lane via the rear car park. Rose Lane provides vehicular access to the existing rear car park, with this access being shared with the residential properties located at the end of the Lane.
- 2.9 The Site is conveniently located nearby to a range of facilities and services due to its town centre location which hosts shops, restaurants, public houses, health services and a library. Queen Elizabeth II Field and Mill Meadows are located approximately 5-10 minutes' walk away from the Site, providing easy access to public open space.
- 2.10 In terms of sustainable transport, Billericay Railway Station is located approximately a 7-minute walk away in the northern direction which serves Greater Anglia trains with direct access to London Liverpool Street and Southend Victoria. There is a bus stop opposite the Site which serve the 45, 256 and 625 bus routes to Ramsden Heath, Basildon, Chelmsford, and Southend.
- 2.11 The Site lies within Flood Zone 1, where there is a low probability of flooding from rivers and the sea.
- 2.12 The adopted Policies Map shows the Site to be located within Billericay Town Centre, Billericay Conservation Area, and within a Primary Shopping Frontage.

Relevant Planning History

- 2.13 A desk-top search of BBC's online database has been carried out to determine the relevant planning history for 89 High Street which is outlined in **Table 1** below:

BBC reference	Description	Decision
11/00002/FULL	Change of use to retail together with single storey rear extension and alterations	Approved 21 Feb 2011
10/01162/FULL	Change of use to retail, new shopfront and single storey side/rear extension	Refused 30 Dec 2010

Table 1: Planning History of The Site

- 2.14 Several applications in close proximity to the Site are also considered of relevance to this application's proposals. These are detailed in **Table 2** below:

Location	BBC reference	Description	Decision
Squire House 81 - 87 High Street Billericay Essex	22/00530/FULL	Front extension and facade upgrades to ground floor retail units plus partial change of use of rear parts of ground floor retail units (Class E) to provide 3 residential dwellings (2x1-bed and 1x2-bed)	Approved 28 October 2022
Squire House 81 - 87 High Street Billericay Essex	22/00350/FULL APP/V1505/W/22/ 3308132	Construct one additional storey to building to create 3no. additional residential dwellings (Use Class C3)	Allowed on appeal 28 Sept 2023
Mayflower House 128A High Street Billericay Essex CM12 9XE	21/01203/PACU	Notification for prior approval for a proposed change of use from offices (Class B1(a)) to a residential use (Class C3) for 14 residential flats under Schedule 2, Part 3, Class O.	Prior approval granted 14 Mar 2022

Table 2: Nearby Relevant Planning Permissions

Pre-Application Advice

- 2.15 Prior to submission, pre-application engagement was undertaken with BBC officers on 13th June 2023 with BBC, (ref. 23/00049/PREAPP). Formal written advice was issued by BBC on 11^h July 2023.
- 2.16 The pre-application was taken forward by separate applicants but sought advice on bringing forward a comprehensive site-wide redevelopment similar in design and scale to this application.
- 2.17 Details of the pre-application scheme are provided within the Design & Access Statement prepared by T2S Architecture Ltd. The pre-application proposals comprised the development of the rear car park for 2 x semi-detached houses, plus the conversion and extension of the 1st floor of 89 High Street, together with the construction of an upward/rearward extension to the rear to create a total of 6 x residential units. The pre-application proposals included full retention of the existing ground floor and basement Class E commercial use.
- 2.18 A summary of the pre-application feedback is provided below:

- A mixed use residential led development was considered acceptable in principle. The proposed extension and alterations were considered sympathetic to the existing building. A mews style development extending back into the site close to the rear boundary, in a similar manner to other recent backland mews style developments elsewhere off the High Street with varying roof lines, is also likely to be considered acceptable in principle and would make effective use of previously developed land in a sustainable town centre location.
- The provision of a front dormer in the existing building facing the High Street would be opposed, but a side dormer may be possible if it had a pitched roof to better reflect the front gables on the existing building.
- The height to the rear of the building may be acceptable but the depth may need to be reduced.
- Concerns were raised in relation to the infilling the roof space of the existing building where this entailed the provision of a flat roof, particularly if this element were to be readily visible from the nearby public car park to the south-west.
- There should be a clear break between the new extension proposed to the rear and the existing building at first floor/roof level.
- Consideration should be given to utilising the rear part of the existing building for residential accommodation where the depth of the commercial unit may be less viable.
- Additional fenestration in the Rose Lane elevation of the rear addition to support the future commercial use could be supported.
- High quality materials sympathetic to the conservation area should be used throughout, particularly horizontal weatherboarding and brick should be considered at lower levels. Sufficient articulation and separation should be provided between the extension and where this connects with the existing building.
- Vehicle parking should be provided at a 1:1 ratio, but reductions (no less than 75%) could be considered acceptable given town centre location. Standalone cycle and refuse storage should be provided at the rear of the commercial unit if viable.
- Overlooking/privacy impacts into neighbouring gardens should be minimised, along with daylight and sunlight testing being required.
- Concerns were raised regarding the residential impact of noise from the neighbouring restaurant garden at 91 High Street. A noise impact assessment was requested.
- Private amenity space should be provided in line with the Essex Design Guide, though reductions may be considered given the constrained nature of the site and based on its location within an urban area.

2.19 The Proposed Development has reviewed the feedback provided from BBC and integrated the following amendments to address officer comments:

- The proposed front dormer has been relocated to the southern roof elevation and set back from the High Street frontage. The proposed dormer includes a gabled/pitched roof form to ensure a strong integration with the existing building.
- The proposals include the partial change of use of the rear part of the existing ground floor Class E unit to Class C3 residential use. This includes incorporating new fenestration along the southern Rose Lane elevation.
- Amendments to the rear extension and connecting element have been integrated. The amendments include incorporation of a west-facing hipped roof, greater articulation in the building form, and the utilisation of contrasting high-quality materials in keeping with Conservation Area Management Plan guidance.
- The infilling of the two rear facing gables has been retained on the basis of townscape and heritage analysis confirming this element will not be readily visible from key views from the neighbouring public car park.
- Overlooking mitigation to the neighbouring Squire House rear garden has been achieved by limiting habitable windows and private amenity spaces along the northern elevation of the building.
- Given the Applicants own the freehold of the adjacent surface car park to the rear of 91 High Street, the Proposed Development (plus proposed development within the rear car park) are collectively able to deliver a parking ratio of 1:1.
- Policy compliant refuse and secure cycle parking has been proposed to the rear of the existing building to all units.
- The proposed balconies are no longer 'punched' into the roof space, with amenity space for unit 1.01 located to the rear of the unit as suggested.
- A Noise Impact Assessment, and Daylight and Sunlight Assessments (both neighbouring and within) have been undertaken as requested which confirm the proposals are acceptable.

3.0 The Proposed Development

3.1 As previously noted, the description of development is for:

Proposed partial change of use of the existing building from Class E to Class C3, with works including infill loft extension, introduction of south facing dormer and a 1.5-storey rear and upward extension to create 7 x self-contained C3 residential units; plus façade amendments to incorporate new windows; removal of ATM and reinstatement of front façade window; alongside associated landscaping, parking, and refuse storage.

3.2 In total, 468sqm GIA of new residential floorspace will be provided across 7 x self-contained units within or above the existing commercial building. The existing Class E commercial space on the ground floor will be reduced in floor area down to 167sqm GIA.

3.3 The proposed housing type and size of the units are outlined in **Table 3**:

Unit	Type	Size (GIA m ²)
G.01	1 Bedroom 2 Person	50
G.02	1 Bedroom 2 Person	50
G.03	1 Bedroom 2 Person	56
1.01	2 Bedroom 4 Person	97
1.02	2 Bedroom 3 Person	70
1.03	1 Bedroom 2 Person	62
1.04	2 Bedroom 4 Person	83

Table 3: Proposed Housing Type & Size

3.4 All units meet and exceed Nationally Described Space Standards.

3.5 Units 1.01, 1.02 and 1.04 will have access to private amenity space in the form of balconies. Constraints associated with converting floor space within the existing building limit the ability to provide dedicated private amenity space to unit 1.03 and the proposed ground floor units. Given the town centre location and given these units could be delivered via Permitted Development, this is considered acceptable in planning terms.

3.6 Access to all the flats will be provided from the rear of the building via Rose Lane. The ground floor flats will have their own shared communal entrance, whereas access to units 1.01, 1.02, 1.03 and 1.04 will be provided communal access to first floor level via the existing rear staircase.

3.7 6 x car parking spaces will be allocated for the development within the adjacent surface car park to the rear of 91 High Street, which is also within the Applicants ownership.

- 3.8 Secure and covered long-stay cycle storage is proposed to the rear of the existing building to serve the development, accommodating Sheffield stands that will accommodate 8 x long-stay spaces (7 x residential use and 1 x commercial use). Adjacent, the cycle store, a single Sheffield stand is proposed to accommodate 2 x short-stay spaces (1 for each residential and commercial uses).
- 3.9 In terms of waste and recycling provision, 1x 1100L general waste bin, 1 x 1100L bin for pink sacks, 1 x 240L food waste bin, and 1 x 360L bin for recycling waste will be provided for the proposed units in line with the Refuse and Recycling Advice Note for Developers provided by BBC. There will also be 1 x 1100L general waste bin to serve the existing commercial unit.

4.0 Planning Policy Context

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy and Guidance

- 4.2 The National Planning Policy Framework (NPPF) was published in December 2023 and replaces the previous Framework that was published in September 2023.

- 4.3 The NPPF sets out a presumption in favour of sustainable development (Para 11), which for decision making means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) 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:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 4.4 The Framework is supported by National Planning Policy Guidance (NPPG), launched as an online resource on 6th March 2014, which seeks to provide further detail and guidance on the application of national policies contained within the Framework.

- 4.5 The National Planning Policy Framework (NPPF) (and associated National Planning Policy Guidance (PPG)) are material considerations in decision-making.

The Development Plan

- 4.6 The development plan for BBC currently comprises the following documents:

- Basildon District Local Plan 'Saved' Policies (2007);
- Basildon District Local Plan Proposals Map (1998);
- Essex Minerals Local Plan (July 2014);
- Essex and Southend-on-Sea Waste Local Plan (July 2017); and
- South East (Inshore) Marine Plan (June 2021).

- 4.7 Many policies within BBC's adopted development plan are considered out-of-date and the Council cannot currently demonstrate a 5-year housing land

supply (FYHLS), therefore as per para 11 of the NPPF, the 'tilted balance' is engaged for decision making purposes.

Supplementary Planning Documents (SPD)

4.8 The following Supplementary Planning Documents (SPDs) have been identified as being relevant to the Proposed Development:

- Billericay Conservation Area Shop Front and Design Guide SPD (2015);
- Essex Design Guide (2018);
- Billericay Conservation Area Character Appraisal and Management Plan (2011); and
- Basildon Borough Planning Obligations Strategy SPD (2015).

Site Specific Policies and Designations

4.9 As per BBC's adopted Policies Map, the Site is currently subject to the following) site-specific policy designations:

- Billericay Town Centre;
- Billericay Conservation Area; and
- Shop Units within the Prime Shopping Frontage.

Emerging Basildon Local Plan

4.10 BBC's adopted Local Plan (2007) is out-of-date and the Council was preparing a new Local Plan for the period 2014–2034. The Council's draft Local Plan was submitted for Examination in Public (EiP) in March 2019; however, was later withdrawn in March 2022.

4.11 BBC has reinitiated the process of updating their Local Plan and undertook consultation on their Regulation 18 'Issues and Options' strategy between June to September 2023. The Council's latest Local Development Scheme (November 2022) anticipates adoption of the new Local Plan in Q4 of 2027.

5.0 Planning Assessment

5.1 This section assesses the proposed development against the relevant national, strategic, and local planning policies. It assesses the following key planning considerations in turn:

- Principle of Loss of Commercial Floorspace;
- Principle of Residential Development;
- Residential Mix;
- Residential Quality;
- Design & Heritage Matters;
- Transport, Access, and Servicing; and
- Drainage, Biodiversity & Landscaping.

Principle of Loss of Commercial Floorspace

5.2 NPPF (2023) paragraph 90 references that planning policies and decisions should support the role that town centres play at the heart of communities and take a positive approach to their growth, management, and adaptation. This includes promoting their long-term viability and vitality by allowing them to grow and diversify in a way that can respond to rapid changes in retail and leisure industries, including supporting a range of town centre uses, including housing.

5.3 Locally, Saved Policy BAS TC1 states that within town centres, main town centre uses, including retail, offices, community facilities and residential (where it forms an ancillary part of a mixed-use scheme) will be encouraged. Part I of the policy notes that proposals should not result in a significant net loss of retailing floorspace.

5.4 Saved Policy BAS SH4 relates to change of use from A1 (shops) to A2 (financial services) or A3 (food and drink) at ground level within the Primary Shopping Frontage (PSF) and states this will be allowed provided no material harm to the retail function or the viability and vitality of the town. In assessing proposals, the Council will consider amongst other criteria, the retail appearance and character of the frontage, whether a clear predominance of shops would remain in the PSF, and if necessary, the cumulative impacts of a proposed change of use, plus other permitted changes of use. This policy is now considered partially out-of-date in line following the introduction of Use Class E.

5.5 The existing building comprises 487sqm GIA Class E floorspace (42sqm at basement level, 300sqm at ground floor level and 145sqm at first floor level). The Proposed Development retains 167sqm GIA Class E commercial space along the Primary Shopping Frontage (comprising 125sqm GIA at ground floor level and 42sqm GIA within the basement). The Proposed Development therefore seeks permission for the change of use of c. 320sqm GIA floorspace from Class E to Class C3 residential.

- 5.6 We note, that the proposed change of use could similarly be secured via Class MA of the General Permitted Development Order, 2015.
- 5.7 Notwithstanding, in considering the impacts of the partial reduction in commercial floorspace, we have sought market commentary from local commercial estate agency, Mass & Co., to ensure the proposed reduced Class E unit will remain viable within the local market. Their market commentary letter is provided at **Appendix 1**. In summary, given recent retail market trends, it is their view that the proposed reduction of Class E floorspace from 487sqm GIA down to 167sqm GIA, will retain an active frontage unit that would likely generate high demand within the local commercial retail market, thus protecting and enhancing the viability of the Class E unit and the broader town centre.
- 5.8 We also note other recent precedent permissions within the locality, including Squire House, 81 - 87 High Street (BBC ref. 22/00530/FULL) granted in October 2022, where the change of use of the underutilised and elongated rear part of ground floor and retail and first floor to provide 3 x residential units has been deemed acceptable given it would retain town centre vitality and viability.
- 5.9 The viability of the retained Class E unit fronting High Street will also be further enhanced through removal of the existing ATM and reinstatement of active ground floor fenestration. This will improve both the street scene and fully re-activate the frontage of the site, thereby further enhancing the quality of the unit to prospective commercial tenants.
- 5.10 Notwithstanding that the much of the existing Class E use within the curtilage of the Site could be converted to Class C3 residential use via Permitted Development rights, based on the above, we consider the proposed partial loss of Class E commercial use to be in accordance with the NPPF, applicable and up-to-date Development Plan policies and is therefore acceptable in planning terms.

Principle of Residential Development

- 5.11 NPPF Paragraph 60 supports the Government's objective of 'significantly boosting' the supply of homes by ensuring a sufficient amount and variety of land can come forward where it is needed.
- 5.12 NPPF Paragraph 90 recognises that residential development often plays an important role in ensuring the vitality of town centres and encourage residential development on appropriate sites. Further, Local Authorities should promote the long-term vitality and viability of their town centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, whilst allowing a suitable mix of uses (including housing) which reflects their distinctive characters.
- 5.13 NPPF Paragraph 124 requires planning decisions to promote effective use of land in meeting the need for homes and other uses. Part d) specifically references the development of under-utilised land and buildings.
- 5.14 The proposed development seeks to repurpose the underutilised rear extension and first floor of the existing building. The proposals will enable the much-needed delivery of additional housing within a sustainable town centre location, whilst simultaneously retaining the Class E unit along the Primary Shopping

Frontage. The Proposed Development will ensure the best and most optimal use of land is achieved in line with the aspirations of the NPPF.

- 5.15 The adopted local plan, which was adopted in 2007 is considered partially out-of-date, making the housing targets within this document redundant. More recently, the councils Five Year Land Supply Report (June 2023) notes that BBC have a minimum requirement of delivering 1,079 dwellings per year. The Report demonstrates that BBC can currently only demonstrate a 1.85-year housing land supply, and has further only achieved 46% of their housing targets in 2022 as per the Housing Delivery Test results. As such the presumption of sustainable development (i.e. the ‘tilted balance’) would be engaged in line with Paragraph 11 of the NPPF.
- 5.16 At the local level, the proposed development is located within Billericay Town Centre where saved Policy BAS TC1 (District Wide Town Centre Policy) supports the principle of residential development subject to:
- i. “No significant loss of retail floorspace;*
 - ii. Car parking provided in accordance with the Council’s Car Parking Standards;*
 - iii. The local road network can accommodate any increases in road traffic;*
 - iv. Servicing can operate functionally;*
 - v. The design, form, scale and materials used are sympathetic to the area;*
 - vi. In the case of Billericay Town Centre, regard is given to the Conservation Area status of the town centre and the concentration of listed buildings; and*
 - vii. The development should not result in the loss of public open space or amenity area.”*
- 5.17 Policy BAS TC6 (Residential Development in Town Centres) also supports the principle of residential development as an acceptable form of development in town centres where it forms part of a mixed-use scheme.
- 5.18 The principle of residential development within Billericay Town Centre is supported by policy at all levels, noting many buildings within the town centre already support residential uses. Additionally, the Site is in an accessible location in relation to sustainable transport links, services, and facilities to serve the proposed residential use.
- 5.19 The provision of 7 x new dwellings would make a small, albeit important contribution to BBC’s annual housing delivery targets, particularly in the context that the Council cannot clearly demonstrate a 4FYHLS and given the NPPF’s presumption of sustainable development is engaged. The proposals would result in a net loss of 320sqm GIA but will retain a 167sqm GIA Class E unit (including 126sqm GIA at ground floor along the Primary Shopping Frontage), meaning although there will be a reduction in Class E use floorspace site-wide, a significant amount of Class E commercial floorspace will be retained in accordance with Policy BAS TC1(i).

- 5.20 In relation to parking, there is currently surplus capacity within the Applicant's adjacent surface car park to the rear of 91 High Street. The Proposed Development will allocate 6 x unutilised spaces within the car park to support the development. This will result in a 0.7:1 parking ratio to be provided, which given the town centre location is considered acceptable. Site-wide, including the concurrently proposed development of 2 x semi-detached houses within the 89 High Street rear car park, there will be a 1:1 parking ratio delivered. Traffic generation will be limited and will not present any impacts to local road capacity or safety.
- 5.21 In relation to servicing, this will remain as existing with delivery drivers being able to utilise commercial loading spaces along the High Street and waste collection utilising access via Rose Lane.
- 5.22 The Proposed Development includes the introduction of a series of 6 x 6 traditional sash windows along the ground floor southern elevation of the existing rear wing of the building. The traditional sash windows will match the window treatment of the host building and remain in keeping with materiality found elsewhere within the surrounding Conservation Area. Further, the design of the proposed upward extension has been informed by the Billericay Conservation Area Management Plan guidance and reflects a material palette similar to other new housing developments within the town centre.
- 5.23 The submitted Heritage Statement, prepared by Orion, confirms that whilst the proposals represent a minor change within the setting of nearby listed assets, their setting and significance will be maintained, primarily given their principally experienced within the setting of the wider streetscape, which will not be impacted by the Proposed Development. The Heritage Statement concludes that the Proposed Development (and cumulatively alongside the proposed 2 x semi-detached houses within the rear car park) would not generate any harm to the broader Conservation Area, nor any nearby locally or listed heritage assets.
- 5.24 There are no technical or environmental constraints making the Site unsuitable for housing. The principle of development is therefore considered to be in accordance with the NPPF, and applicable Development Plan policies and is therefore considered acceptable in planning terms.

Residential Mix

- 5.25 The NPPF requires LPAs to deliver a wide choice of high-quality homes and to plan for a mix of housing in terms of size, type, tenure, and range based on local demand (Para 60).
- 5.26 The Council's saved Local Plan does not have any policies that prescribe unit mix requirements for new development.
- 5.27 The South Essex Housing Needs Assessment (SEHNA) (June 2022) is the most up-to-date evidence base document outlining housing needs in the area from 2020 – 2040. The need as portrayed in the SEHNA is assessed against the housing mix proposed in **Table 4** below.

Unit Type	No. of Units	% of Mix	HNA Desired Mix
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1 Bedroom	4	57%	14%
2 Bedroom	3	43%	26%
3 Bedroom	0	00%	40%
4+ Bedroom	0	0%	20%
TOTAL	3	100%	100%

Table 4: Proposed Housing Mix

- 5.28 The proposed unit mix provides a range of housing sizes and types in broad accordance with the latest SEHNA. The SEHNA states that the desired mix is used for guidance only and “*should not be prescribed as an explicit requirement for individual sites given the need to respond to changing market demands, local context and viability factors*”.
- 5.29 The Proposed Development comprises 4 x one-bedroom units and 3 x two-bedroom units. When considered alongside the concurrently proposed planning application within the rear car park of 89 High Street, the provision of 2 x additional semi-detached homes within the curtilage of the 89 High Street site will deliver a housing mix in broad accordance with BBC housing needs.
- 5.30 Given the town centre location, where there is less of a demand or need for family sized accommodation, the higher provision of 1-bedroom flats is considered acceptable where access to daily goods, services, recreation and transport are more readily available. Notwithstanding the remaining 3 x units are two-bedroom and will provide good housing options for smaller families that seek centrally located town centre accommodation.
- 5.31 Cumulatively, the Proposed Development, alongside the concurrent application within the 89 High Street rear car park will provide a variety of unit types in line with national policy and evidenced local housing needs. Given the sustainable town centre location, the Proposed Development will significantly benefit the vitality and viability of the Billericay Town Centre through additional footfall, local expenditure and nearby access to goods, services, recreation and transport connections. Further, the proposals will deliver much needed housing in an area where housing supply and delivery has been historically constrained. On balance, we consider the proposed unit mix in accordance with the SEHNA and is therefore considered acceptable in planning terms.

Residential Quality

- 5.32 Planning policy at all levels places great importance on the need for new homes that are of high-quality design and highlights the role that this can play in creating successful communities. The NPPF (para 135) is clear in its support for increasing housing supply should be delivered in tandem with quality.
- 5.33 There are no saved policies that specifically set out internal design standards within BBC. Notwithstanding, the Essex Design Guide provides design

guidance and states that proposals must meet standards set out in the 'Technical housing standards –nationally described space standard' (NDSS).

- 5.34 The Proposed Development will create a high-quality environment for future residents of the Site. There are several key attributes that help to achieve this:
- All units will meet or exceed NDSS minimum space standards;
 - Dual aspect units have been maximised where possible;
 - All units will meet acceptable standards in respect to internal daylight, sunlight and noise;
 - All habitable windows will have good-quality of outlook and significant separation distances between neighbouring habitable windows;
 - The units focus around open-plan living areas, with all Living/kitchen/dining rooms in excess of 25sqm;
 - Duplex units promote good internal separation within units, making these attractive to small families;
 - All units are provided with a good level of privacy; and
 - Private amenity space in the form of balconies/terraces have been provided where feasible.
- 5.35 Given the constraints associated with converting an existing building, unfortunately it is not possible to incorporate a lift or provide external private amenity space for unit 1.03 or the 3 x ground floor units given their adjacency to Rose Lane and a need to mitigate against overlooking into the neighbouring Squire House rear communal garden to the north.
- 5.36 During pre-application discussions, officer's raised concerns that the units that faced onto the rear restaurant garden at 91 High Street may be adversely affected by noise associated with the food & beverage use. As such, Venta Acoustics have undertaken a Noise Impact Assessment to accompany the application to assess this impact. The report concludes that with appropriate internal and external mitigation, including proprietary thermal double-glazing and trickle vents, internal noise impact is anticipated to lie between the No Observed Effect Level (NOEL) and Lowest Observed Adverse Effect Level (SOAEL), as such no adverse impacts would be generated for future occupants.

Daylight & Sunlight

- 5.37 The Essex Design Guidance refers to the BRE "Site layout planning for daylight and sunlight" to calculate internal daylight levels. A Daylight and Sunlight Assessment (internal) has been prepared by Right of Light Consulting have undertaken internal lighting analysis on the proposed dwellings in accordance with this guidance. The results confirm that all proposed dwellings have appropriate levels of daylight and sunlight in line with guidance.
- 5.38 Policy BAS BE12 refers to planning for new residential development, with part iv) of the policy requiring this to not cause material harm in terms of

overshadowing or over-dominance. Right of Light Consulting have further analysed the neighbouring impact of the proposed extensions and built form on the neighbouring dwellings within Squire House in accordance with the BRE guidance. The results conclude:

- Neighbouring Assessment
 - All windows pass the Vertical Sky Component test.
 - All rooms pass the daylight distribution test.
 - None of the windows included in this assessment face within 90 degrees of due south. Therefore, none of the windows need to be tested for direct sunlight. It follows that the proposed development satisfies the BRE direct sunlight to windows requirements.

- Within Assessment
 - One room within falls short of the daylight provision targets during the summer. However, the BRE guide explains that providing the targets are met in the winter months, daylight all year round is likely to be adequate. In this case, this room falls only marginally short of its winter Daylight Factor target. This is therefore a very high level of compliance.
 - All rooms meet the daylight provision targets during the summer.
 - All dwellings across both applications have at least one main window which faces within 90 degrees of due south. All dwellings have a living room which receives a total of at least 1.5 hours of sunlight on 21 March in accordance with BRE exposure to sunlight requirements.
 - One of the three private amenity spaces passes the BRE tests. Of the two that do not pass, one external amenity area is existing and along the northern portion of the buildings, and the other is south facing and will therefore still provide quality and valuable outdoor amenity for future residents.

5.39 As demonstrated by the proposed drawings, the Proposed Development will deliver a high-quality of residential accommodation which on the whole meets policy and design guidance expectations. The Proposed Development is therefore on balance considered acceptable in planning terms.

Design & Heritage Matters

5.40 The NPPF (Section 12) states that “*the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*”.

5.41 Paragraph 135 of the NPPF emphasises that planning decisions should ensure that developments:

- a) “*will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*”

- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

5.42 Given the Site is located within the Billerica Conservation Area and is located within the setting of listed and non-listed heritage assets, Section 16: Conserving and Enhancing the Historic Environment of the NPPF is applicable.

5.43 Paragraph 200 of the NPPF states that in determining applications, LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

5.44 Paragraph 203 of the NPPF states that LPAs take account of the desirability of new development making a positive contribution to local character and distinctiveness.

5.45 Paragraph 205 states that where a development will lead to substantial harm to a designated heritage asset, that local planning authorities should refuse permission, unless public benefits outweigh the harm. Paragraph 202 further states that where less than substantial harm this must be weighed against the public benefits, including where appropriate, securing its optimum viable use. Paragraph 18a-020 of the NPPG outlines what is meant by public benefits:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.”

5.46 Paragraph 209 states that LPAs must take a balanced judgement in weighing applications that directly or indirectly affect heritage assets, having regard to the

scale of any harm or loss and the significance of the heritage asset. Although substantial harm is not defined in the NPPF. Paragraph 18a- 018 of the NPPG provides additional guidance on substantial harm. It states:

“Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the NPPF. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.”

- 5.47 Lastly, Paragraph 212 states that LPAs should look for opportunities for new development within Conservation Areas to enhance and better reveal their significance. Proposals that preserve the setting of the Conservation Area and make a positive contribution (or which better reveal its significance) should be treated favourably.
- 5.48 At a local level, the Billericay Townscape Appraisal Map accompanying the Billericay Conservation Area Character Appraisal, identifies the Site itself as a Building of Townscape Value. The adjoining building to the south is identified as a Grade II Listed building (91-95 High Street), along with 72 and 74 High Street opposite the Site, which are also Grade II Listed.
- 5.49 The Billericay Conservation Area Management Plan (BCAMP) states that in respect of design guidance, BBC will not permit development in the Conservation Area which detracts from its character or appearance in terms of height, bulk, scale, form, detailing and material. In respect of building extensions, the BCAMP states that reference should be made to the local architectural tradition by way of materials and detailing and that this needs to be used in a logical context and be well executed to be successful. Furthermore, extensions should be subservient to the parent building. The BCAMP goes on to advise that whenever the opportunity arises, BBC will encourage and support schemes which improve the appearance of buildings in the Conservation Area.
- 5.50 Saved Policy BAS TC1 (District Wide Town Centre Policy) states that proposals within town centres will be assessed against several criteria including, the design, form, scale and materials being sympathetic to the area, and in the case of Billericay Town Centre, regard is given to the Conservation Area status of the town centre and the concentration of listed buildings.
- 5.51 Saved Policy BAS BE12 (Development Control) states that permission will be refused if the proposed development causes material harm to the character of the surrounding area, including the street scene, overlooking, noise disturbance or overshadowing/over-dominance.
- 5.52 The parent building is classified as a Building of Townscape Value due to its age and the prominence of its façade and cross gable within the street scape of High Street, with the building representative of the style of several buildings that were constructed during the late Victorian period within the town centre.

- 5.53 The proposals include minor façade alterations to the southern elevation of the rear wing of the building to introduce a series of 6 x 6 traditional white sash windows. Sash windows are considered an appropriate window type as per the BCAMP and we note will be in keeping with the fenestration of the host building.
- 5.54 The proposed extensions to the parent building are restricted to the existing rear 1.5 storey upward extension, the introduction of a small dormer along the southern roof elevation, and the infilling of the two rear facing gables. Key views of the proposed extensions are provided within section 5.13 of the Design and Access Statement, prepared by T2S Architecture. As assessed within the submitted Heritage Statement, prepared by Orion, the proposed extensions will be largely imperceptible within the street scene that nearby heritage assets are principally experienced in.
- 5.55 In secondary views of the Site from the public car park, the pitched roof design approach of the 1.5 storey rearward extension mimics the neighbouring built form and ensure the ridge height will respect the neighbouring building heights. Further, the 1.5 storey rear extension has been setback from the edges of the existing single storey rear extension which assists in reducing its massing and ensuring the extension remains subservient to the host building.
- 5.56 The upward infilling of the two rear-facing gables of the host building will be maintained below the front roof ridge height, and therefore will be imperceptible within the High Street streetscape. Views of this element from the adjacent public car park will be imperceptible as demonstrated within the submitted Design & Access Statement.
- 5.57 The proposed small dormer along the southern elevation follows the form, design and materiality of the parent building and will not generate any harm to key Conservation Area views or the neighbouring Grade II listed building.
- 5.58 The existing ATM along High Street in our view detracts from the existing building's architectural quality and the broader setting of the Conservation Area it sits within. The Proposed Development includes removing the existing ATM and replacing it with a large, segmented timber framed window to replicate the adjacent existing window along the front façade. The Heritage Statement concludes that the removal of the ATM and reinstatement of the window along the principal south-east elevation is considered to be a further enhancement opportunity provided by the Proposed Development and is in accordance with the Billericay Conservation Area Shop Front and Design Guide.
- 5.59 As per the submitted Heritage Statement, an assessment of the potential effect of the Proposed Development on the significance and setting of the subject building, nearby listed assets, and the broader Conservation Area has been undertaken. The Heritage Statement confirms the proposals will not negatively impact any heritage assets nor generate any heritage harm to nearby listed assets or the broader Conservation Area. The proposals are therefore considered to accord with the NPPF and applicable Development Plan policies and is considered acceptable in planning and heritage terms.

Transport, Access, and Servicing

- 5.60 At all levels within planning policy there is a strong presumption in favour of reducing the need to travel, particularly by private car, and encouraging more sustainable modes of transport.

- 5.61 Paragraph 114 of the NPPF highlights that in assessing sites, LPAs should ensure appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location. Paragraph 115 further states that development should only be prevented or refused where there would be an unacceptable impact on highway safety or if residual impacts on the road network would be severe.
- 5.62 At the local level, the Proposed Development is located within Billericay Town Centre where saved Policy BAS TC1 (District Wide Town Centre Policy) supports the principle of residential development subject to car parking provided in accordance with the Council's Car Parking Standards and servicing for the development can functionally operate.
- 5.63 The Essex Parking Standards Design and Good Practice Guidance (2009) outlines that 1-bedroom flats should be provided with minimum 1 vehicle space/dwelling, and 2-bedroom + flats should be provided with minimum 2 vehicle spaces/dwelling. The Guidance further sets out a maximum parking provision of 1 space per 20sqm of former Use Class A2 (financial and professional services), however the guidance recognises that a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities, such as the Site.
- 5.64 The Essex Parking Standards (2009) states that minimum 1 x secure covered long-stay cycle parking space is required per dwelling, and minimum 1 x long-stay cycle per 400sqm of Class A1 retail space. Short-stay cycle parking should be provided as minimum 1 x short-stay space per 8 residential units, and minimum 1 x short-stay space per 400sqm Class A1 retail space.
- 5.65 The Proposed Development is located in a highly sustainable location nearby public transport services and within a town centre location which promotes pedestrian access to daily goods and services. Thus, the Site is suitably located and designed to maximise the potential for sustainable travel and minimise impacts on the local transport networks.
- 5.66 The 2011 Census identifies average car ownership levels of 0.70 cars per flat with 1-3 bedrooms within the immediate area. Based on historical data, this suggests a 7 x unit flatted scheme would generate demand for 4.9 vehicles for residents.
- 5.67 The Proposed Development includes 6 x parking spaces within the applicant owned private surface car park to the rear of 91 High Street. Strict adherence with the Essex Parking Standards (2009) would require a total of 11 x car parking spaces. The pre-app response noted that Highways Officers would seek a 1:1 parking ratio and should not be reduced beyond 0.75:1 ratio. The Proposed Development would deliver a 0.7:1 ratio, but when considered alongside the concurrent application for 2 x houses within the 89 High Street rear car park (which will deliver 3 x parking spaces), this would equate to a 1:1 parking ratio across both sites.
- 5.68 When considering the expected demand for vehicle ownership for flatted development in this location, plus considering the sustainable town centre location of the Site, in highways terms, a minor shortfall against Essex Parking Standards is considered acceptable, which we note has been accepted on recently approved schemes of a similar scale elsewhere within the town centre.

- 5.69 In terms of impact on the highway network, TTP Consulting Ltd have undertaken a review of the TRICS database to understand the expected trip generation that the proposed site-wide 9 x dwellings could generate. It is likely 15 two-way vehicle movements over the morning peak period (7-10am) and 21 two-way trips in the evening peak period (4-7pm) when taking into consideration the resident population journey to work data for the local area. As such, the accompanying Transport Statement concludes that cumulatively, this Proposed Development and the adjacent 2 x housing scheme within the rear car park will not result in an unacceptable impact on the operation of the local highway and transportation network.
- 5.70 For cycle parking, the Essex Parking Standards outline that 1 x secure covered long-stay cycle parking space is required per dwelling, resulting in a requirement for 7 x spaces in total. Cycle parking will be provided in accordance with, or exceeding these standards, with a secure bike store for 8 x cycles located at the rear of the Site for both the residential and commercial unit. Regarding short-stay/visitor cycle parking, a secure location is proposed to the rear of the building for 2 x spaces. As such, the proposals are compliant policy compliant.
- 5.71 The bin store for the residential units is located to the rear of the Site, with provision for 1 x 1100L general waste bin; 1 x 1100L bin for pink sacks; 1 x 240L food waste bin; and 1 x 360L recycling bin.
- 5.72 As set out above, it is considered that the proposed quantum of car parking strikes the right balance between parking demand and ensuring no impacts to road networks and highway safety all whilst encouraging future residents to travel sustainably and is therefore in accordance with policy at all levels.
- 5.73 Finally, when considering these proposals in combination the adjacent planning application for 2 x semi-detached homes, the proposed vehicle, cycle and waste store requirements have been provided in accordance with relevant guidance and are therefore considered acceptable in planning and highways terms.

Drainage, Biodiversity & Landscaping

- 5.74 The entirety of the Site is currently impermeable surfacing and based on the Proposed Development mostly being a conversion and not increasing the floorspace on the ground floor, there is limited opportunities for drainage, biodiversity and landscaping enhancements,
- 5.75 Notwithstanding, this specific scheme will remove a small area of impermeable paving within the rear of the site, which will be replaced with permeable block pavers.
- 5.76 At a site-wide scale, the adjacent concurrent application for redevelopment of the 89 High Street car park for 2 x houses will provide substantial ecological and sustainable drainage benefits through the removal of the impermeable car park and formation of rear gardens and further installation of permeable block pavers.
- 5.77 There are no trees on or adjacent the Site which will be affected by the development.

6.0 Conclusions

- 6.1 This Planning Statement summarises the Proposed Development and assesses the key applicable planning issues and material considerations and concludes that the proposals are in accordance with the objectives of national and local planning policies to deliver sustainable development.
- 6.2 This application has been submitted alongside a separate standalone application within the same site curtilage for the extension and change of use of the neighbouring building, which collectively will bring forward comprehensive redevelopment of this vacant and underutilised brownfield site.
- 6.3 The principle of residential development within town centres is supported by policy at all levels. The Site is a highly sustainable town centre location within close proximity to daily goods, services and sustainable transport options.
- 6.4 The Council cannot currently demonstrate a five-year housing land supply, and the provision of 7 x units will provide an important mix of housing types that will support local needs.
- 6.5 The Proposed Development has evolved following pre-application advice from BBC and will be completed to a high-quality which complements the host building and surrounding conservation area character. The accompanying Heritage Statement further confirms the Proposed Development will not result in any heritage harm to the host building, nearby heritage assets, or the Billericay Conservation Area on the whole. The proposals are therefore acceptable in design and heritage terms.
- 6.6 All units will be of a high residential quality, meeting or exceeding NDSS requirements and provide high-quality layouts that will benefit from positive outlook and natural light.
- 6.7 Given the town centre location, an acceptable level of allocated car parking is proposed, alongside a policy compliant level cycle parking and refuse storage is provided.
- 6.8 Along with the package of information submitted in support of this application this Planning Statement has demonstrated that the Proposed Development is acceptable in development management terms and raised no policy conflicts. The proposed development is considered to be in accordance with the NPPF and BCC's Development Plan and therefore should be approved without delay.

7.0 Appendices

Appendix 1: Mass & Co Advice Letter

Our Ref: MM/AGY

5th January 2024

Mr C Gray
Klara Homes Limited

Dear Craig

89 HIGH STREET, BILLERICAY CM12 9AT

Further to our recent discussions regarding the above, whereby you have asked for our commentary of the retail market in Billericay to assist you with a planning application on the above proposed commercial space. I report as follows:

The Proposed Development

The proposal for the commercial space at 89 High Street is to provide a single ground floor commercial unit plus basement having the following floor areas in accordance with drawing Nos. 133PL2GA00 Rev G & 133PL2GA01 Rev C

Ground Floor – 126 sqm / 1356 sqft
Basement – 43 sqm / 463 sqft

We have advised previously regarding that the configuration of the accommodation would best suit a single occupant as opposed to further division to accommodate the smaller to medium space retail/ Class E requirements currently predominant in the market, which includes several regional and national operators as well as a range of local independents. Whilst consideration has been given to configure a larger space, demand is limited and larger spaces by definition attract higher occupational costs which may be difficult to achieve from the current demand.

Market Commentary

Leading up to the Covid pandemic, as with many towns across the UK, Billericay suffered from a decline in the demand for retail spaces. Many large retailers and national operators were casualties of the general down-turn in the retail sector, which has been largely influenced by the change in shopping habits and the growth of online retailing. Many fashion retailers, the traditional mainstay of the High Street, had exited and continue to do so. Pre Covid, Billericay High Street suffered a high vacancy rate. However, post Covid demand picked up considerably and vacant High Street accommodation continues to remain in demand.

Furthermore, several of the major High Street banks in Billericay have become vacant in line with the general consolidation of the banking sector property holdings and their diminishing requirements to occupy retail

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property in the traditional way. However, many of the properties occupied by the banks, as with 89 High Street, are often in prime pitch positions within the High Streets and as such remain attractive retail propositions.

Over the last couple of years many vacant spaces offered to the market have now been taken up. These include:

1. 32-36 High Street, (former Argos store) - let to an indoor golf and escape rooms operator in May 2021.
2. 82 High Street (former TUI travel agency) - let to Wenzels in July 2021
4. 84 High Street (former Thomas Cook) - let to Gail's Bakery in December 2021
5. 111 High Street (former Lloyds Pharmacy) - sold in early 2021 to an investor who is developing the upper parts for residential and has leased the ground floor to a café operator who will be opening shortly.
6. 132 High Street (former Boots Opticians) – currently under offer to an independent food store.
7. 126 High Street (former Corals betting office) – let to KFC in 2022
8. 50 High Street (former M&Co store) currently under offer to an owner occupier.
9. 81 -87 High Street (former Clinton Cards) let to Café Nerro in May 2023
10. 70 High Street let to a barber earlier this month
11. 103 High Street – currently under offer to an ice cream parlor.
12. 109 High Street – let to The Tooth Club in early 2023

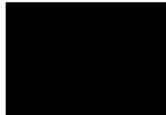
The above clearly demonstrates demand for retail space in Billericay and we continue to experience demand for varying sizes of retail spaces. Whilst there have been a number of larger properties on offer (2,000 – 5,000 sqft) with the demand coming and being met by food & beverage operators and food/convenience stores The smaller properties of 1,000 – 2,000 sqft bracket is where the greater demand currently exists.

Furthermore, whilst demand continues there is still a lack of good quality vacant commercial space in the town particularly in the central High Street area and I am again confident your proposed scheme will deliver what is needed, attract good initial interest and will secure an early occupier commitment.

I trust that the above is sufficient for your current purposes but please do not hesitate to contact me should you require any further input.

Kind regards

Yours sincerely



Mark Mannering MRICS
Mass & Co

Email: 
Mobile: 