

SITE PLAN ATTACHED

04. WOODACRE THE GLADE HUTTON ESSEX CM13 2JL

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION THREE NEW DWELLINGS.

APPLICATION NO: 16/00134/FUL

WARD	Hutton South	8/13 WEEK DATE	24.03.2016
PARISH		POLICIES	NPPF NPPG CP1 H17 T2 C5 C3
CASE OFFICER	Mrs Charlotte White	01277 312500	
Drawing no(s) relevant to this decision:	SK1 ; DESIGN & ACCESS STATEMENT ; BIODIVERSITY ASSESSMENT ; SK11 /REV D; SK12 /REV C; SK13 REV A ; SK3 /REV A; SK5 /REV D; SK7 /REV G; TREE PROTECTION PLAN ; ARB. REPORT ; SK4 /REV E; SK6 /REV E; SK8 REV C ; SK16, SK18, OUTLINE CONSTRUCTION METHOD STATEMENT		

This application was referred by Cllr Reed for consideration by the Committee.
The reason(s) are as follows:

Design, bulk, privacy and overlooking, insufficient plot width to Plot 2 (Policy H15).
Evidence of grass snakes.

The application was deferred from the Planning and Licensing Committee 12th April 2016.

1. Proposals

Planning permission is sought to demolish the existing dwelling on the site and to construct three detached houses with basements and rooms in the roof. The three dwellings have a similar internal layout and characteristics but have different designs with different materials and different dormers, gables and detailing.

This application was presented to the Planning and Licensing Committee 12th April 2016. The Committee resolved to defer the application for the following further actions/information to be provided (see minutes of this meeting):

1. Officers to provide information on the amount of hardstanding on the site.
2. Officers to provide information on the changes in the siting of plot 3 in relation of the neighbouring dwelling
3. Cllr Reed to meet with residents.

In response, the applicant has submitted the following:

An outline construction method statement which indicates that:

- access to the site will be via Roundwood Avenue and Brockley Grove with the delivery of heavy plant and materials along The Glade co-ordinated and managed by traffic marshals at the entrance to The Glade and the site with two-way radios.
- The principle contractor would audit and manage vehicles used for the development to ensure they are capable of turning into The Glade and accessing the development without damaging the highway or highway verge. Once the existing dwelling has been demolished the base of the access road, drives and turning head will be laid out, prior to the construction of the houses to facilitate parking and turning.
- Construction parking will be prohibited within The Glade
- A photographic record survey of The Glade will be undertaken prior to commencement of the development and any damage caused by construction traffic will be made good by the developer.
- Wheel washing and road cleaning will be utilised.
- Working hours will be 08:00 – 17:30 Monday to Friday (excluding bank holidays) and 8am-1pm Saturdays (with heavy construction work prohibited).
- Full construction traffic management plans and construction management plans will be submitted to the local planning authority prior to the commencement of the works.

Amended plans:

- Plot 3 has been stepped further back in the site and is located some 20m from Dunelm.
- The plans now clearly show that a large vehicle such as a refuse lorry could turn in the site.
- The garages have been reduced in height.
- Additional planting is to be provided on the boundary with Dunelm and to the rear of Plot 3.
- A plan has been provided which shows an overlay of the footprints of the proposed development in relation to the previously refused scheme (latest refused scheme).

- A plan overlaying the refused scheme for 4 houses on the site with this proposal has been submitted.
- The Agent has provided hardsurfacing comparisons which indicate that the previously refused application had 702.5 sq.m of hardsurfacing compared to this application which proposes 724.5 sq.m of hardsurfacing. However, the gross floor area of all three dwellings has decreased compared to the previous application (ref. 15/00951/FUL).

2. Policy Context

National Planning Policy Framework (NPPF)

Planning Practice Guidance (NPPG)

CP1 - General Development Criteria

H15 – Hutton Mount

H17 - Dormer Windows

T2 - New development and highway considerations

C5 - Retention and provision of landscaping and natural features in development

3. Relevant History

- 15/00951/FUL: Demolition of existing house and construction of three new dwellings. -Application Refused
- 13/01101/FUL: Demolition of existing 6 bedroomed dwelling and redevelopment of the site to create four detached dwellings -Application Refused and Dismissed at appeal.

4. Neighbour Responses

Following the submission of amended plans, all neighbours that were previously consulted or whom previously commented on this application were re-consulted and were provided with a further 21 days to make any further comments they may have on the amended plans.

An additional 10 representations have been received from 8 addresses and included a power-point presentation with no name or address which make the following additional, summarised comments:

- Changes are minimal and the reduction in footprint and hardstandings is minimal compared to previous applications.
- Site does not facilitate more than 2 houses.
- Too close to properties in Luppits Close.
- Loss of privacy and overlooking.
- Dominate the view.
- Overbearing, overpowering, overdevelopment and intrusive.

- Out of keeping and harmful to the character and appearance of the area and would change current spacious ambience of the area and will appear cramped. High density and small gardens.
- Concerned about crown roof designs which are not allowed elsewhere.
- Too close to Dunelm – 20m not the 25m required.
- Plot 3 will remain an incongruous feature impacting Dunelm.
- Concerns regarding garages.
- Front dormers still proposed. No three storey houses in The Glade or Luppits Close.
- Concerned about conifers that need cutting back.
- No details of additional planting with Dunelm and Luppits Close provided and concerned will not be provided or will be removed.
- Ecology concerns.
- Safety concerns – poor sight lines, narrow lane, access, exit and lack of pedestrian facilities – cannot cope with an increase in the number of users. Congestion, increased traffic, accident and damage concerns and Highway Authority have no jurisdiction. Concerns about using drives as passing bays.
- Residents should suffer no disruption as a result of development.
- Some confusion about a plan submitted labelled ‘for discussion’ ref. SK17
- Reduction in sunlight.
- Construction method statement does not consider residents of pedestrians or children playing in the road.
- Concerns about covenants and access rights.
- Property has been sold.
- Human Rights concerns.
- Garden grabbing.
- Concerns about interests of Members.
- Concerns about the accuracy of the minutes of the April Committee.
- Foul and surface water, gas, water and electric connection concerns.
- Concerns about basements.
- Trees felled already.
- Breach of Policies, including CP1, H15 and H17
- Does not satisfy need for affordable homes. No need for expensive homes.
- Flooding concerns.

5. Consultation Responses

Following the submission of the amended plans and further information no further comments have been received from any consultees.

The comments previously received from the consultees are set out in the original report at Appendix 1.

6. Summary of Issues

The original officer report (appendix 1) clearly sets out the policy issues to be considered and therefore do not need repeating here. The amended plans and further information submitted by the applicant in response to the Committee's concerns are considered below:

Design and effect on the character of the area:

The design of the houses has not materially changed since the application was previously presented to Committee.

Ongoing neighbour objections to the crown roof design are noted, but the appeal Inspector previously found 'nothing objectionable' to the appearance of the dwellings (which then also included crown roofs).

The amendment to the layout, with plot 3 located further into the site is an acceptable change and would not adversely impact the character or appearance of the area as clear gaps between the dwellings will remain as before.

Information provided by the Agent indicates that the footprints of the dwellings and gross internal floor areas have decreased since the previous application (ref. 15/00951/FUL).

The area of hardsurfacing has increased marginally compared to the previous application. However, these areas are mainly located to the side of the dwellings and would not therefore appear overly prominent or at odds with the established character of the area.

The design principle of the front dormers is considered acceptable (nb: covenants are not a material planning consideration).

Landscape screening is proposed between plot 3 and Dunelm. It is considered that the dwelling at plot 3 would not appear as such an unusual feature when viewed from the rear garden of Dunelm that a refusal of planning permission could be substantiated.

The alterations to the designs of the garages are acceptable. The overall height of the garages has been reduced resulting in a lower visual mass and is welcomed.

Subject to conditions relating to materials, landscaping, boundaries and fenestration the development would not result in any material harm to the character or appearance of the area and would not appear incongruous or out of keeping in the area. The proposal therefore complies with the Brentwood Local Plan, Policy CP1 (i) and (iii) and the aims and objectives of Chapter 7 of the NPPF.

Residential Amenity

Plot 3 has been moved further back into the plot, increasing the separation space to Dunelm to approximately 20m (up from around 17.5m). As a result of this, the dwelling at plot 3 would be located approximately 20.5m from the rear boundary of the site.

As before, the siting of plot 3 would not result in any material overlooking to neighbours private amenity space either from ground or first floor windows, nor would it result in loss of privacy, overbearing effect, general disturbance, loss of light or outlook to adjacent residents.

The amendment to plot 3 is therefore acceptable.

As plots 1 and 2 have not been altered, the assessment set out in the original officer's report remains relevant.

Neighbours have raised concerns regarding the details of the additional vegetation on the boundaries of plot 3 not being provided but this can be provided as part of a condition attached to a planning permission.

Parking and Highway Considerations

The proposal would provide a turning head for larger vehicles to use, which will negate the need for larger vehicles having to reverse down The Glade as currently occurs.

A material consideration in the determination of the application is the findings of the appeal Inspector who considered that the traffic generated by the three (net) additional dwellings would not present a significant risk to either drivers or pedestrians and that the appeal scheme would not be detrimental to highway safety.

This development has reduced the number of net increase in dwellings to two, and equally will not result in any significant risk to highway safety.

The outline construction method statement submitted (see earlier in the report) indicates that there are solutions available to ensure the build can be undertaken in a safe manner.

Subject to conditions and agreeing a detailed construction method statement prior to the commencement of the development, the effect of the development on highway safety including during construction stage, is considered acceptable.

Other Matters

With regard to material objections, these have been addressed in either this, or the original report (or both). The Council must determine the application as submitted; as assessed, 3 dwellings on this site is considered acceptable in planning terms.

With regard to the queries raised regarding a plan labelled 'for discussion' ref. SK17 this plan does not form part of this application, but indicated that the applicant was willing to consider alterations, such as repositioning garages.

Covenants and access rights are not material planning considerations, and per se, are given either little or no weight in the decision making process.

Comments referring to the ownership of the site are not relevant as planning permission runs with the land. Any disruption during a development build phase is transient and not a reasonable or substantive objection to withhold planning permission

All other matters have been previously considered within the original officer report.

Conclusion

The amendments to the proposed development comply with the relevant Brentwood Replacement Local Plan policies and meet the definition of sustainable development as set out within the National Planning Policy Framework. There are no significant or demonstrable material considerations that indicate why planning permission should not be granted and therefore the recommendation is for approval, subject to the conditions set out below.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 DRA02A Development in accordance with drawings

Unless formally permitted by the local planning authority the development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

3 U12513

No development above ground level shall take place until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

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

4 BOU09 No walls or fences - except as approved

Notwithstanding the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), and with the exception of those approved as part of this permission, no walls, fences or other means of enclosure shall be erected within the application site.

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

5 U12514

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

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

Reason: In the interests of highway safety, visual and neighbour amenity. This issue is fundamental to the development permitted and in the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refused planning permission.

6 U12515

No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason: In order to safeguard and enhance the character and appearance of the area. This issue is fundamental to the development permitted and in the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refused planning permission.

7 U12516

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

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

8 U12517

Prior to the installation of any doors or windows, additional drawings that show details of proposed windows and doors to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in strict accordance with the approved details.

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

9 U12518

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no additional hardstandings shall be constructed without the prior grant of specific planning permission by the local planning authority.

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

10U12519

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

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents. This issue is fundamental to the development permitted and in the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refused planning permission.

11 U12520

The first floor side windows shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed prior to the first occupation of the building or use of the room of which the window(s) is installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

12U12521

All tree works are to be undertaken in accordance with the approved arboricultural reports and plans approved as part of this application.

Reason: To safeguard the character and appearance of the area.

13U12522

The development shall not be occupied until the access road and vehicle turning area have been constructed in accordance with the approved details. The access road and vehicle turning area shall be retained in this form at all times.

Reason: To provide appropriate access in the interests of highway safety.

14 U12523

The development shall not be occupied until the vehicle parking area in each plot has been constructed in accordance with the approved details. The vehicle parking areas shall be retained in this form at all times. The vehicle parking areas shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To provide appropriate vehicle parking in the interest of highway safety.

Informative(s)

1 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H17, T2, C5, C3 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF21

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 U02935

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood CM13 3HD.

BACKGROUND DOCUMENTS

DECIDED: