

SITE PLAN ATTACHED

06. OAKLANDS 26 HILLWOOD GROVE HUTTON ESSEX CM13 2PD

**LOWER GROUND FLOOR REAR AND FIRST FLOOR SIDE EXTENSIONS,
REAR DORMER AND ALTERATIONS.**

APPLICATION NO: 16/00434/FUL

WARD	Hutton South	8/13 WEEK DATE	16.05.2016
PARISH		POLICIES	NPPF NPPG CP1 H15
CASE OFFICER	Mr Binks		01277 312500
Drawing no(s) relevant to this decision:	732 01 /B; 732 02 /B; 732 03 /B; 732 04 /C; 732 05 /C; 732 06 /B; 732 07C /B; 732 08C /B; 732 09C /B; 732 10C /B; 732 11C /B;		

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

By extending the building line just 0.9m from the Boundary (in breach of the stated 1.2m) it will make the wall facing Woodlands, 28 Hillwood Grove over imposing, especially with the overhanging guttering. A building with four floors is out of place with other properties.

1. Proposals

Hillwood Grove is a tree-lined residential road within Hutton Mount. It is fronted by individually- designed detached dwellings. Some of the original houses remain and these are interspersed with later dwellings and some very recently built houses. Oaklands is a two-storey hipped-roof dwelling with its longest axis parallel to the road. It lies on the east side of the road just north of Hillwood Close. Most of the front elevation has a conventional two-storey appearance but at the northern end the front roof plane extends down over a forward-projecting integral garage to low eaves. A bedroom above the garage is lit by a forward-facing hip-roofed dormer window. In common with the neighbouring house to the north (No 28 - "Woodlands") the plot occupied by the application property drops down at the rear of the house and the two-storey-height house at the front has three storeys at the rear. The two lower floors are accommodated below the low rear eaves with the top floor within an extensive roof plane lit by two dormers and a central gable. The

house has been extended at lower ground level by a fully glazed conservatory that projects back about 3.5m close to the northern end of the house.

Permission is sought to replace the conservatory with a more substantial masonry extension extending back 5m from the rear wall. The extension would be lit by a large central lantern roof and three sets of French Windows opening out onto the garden from the rear and side elevations.

At first floor level it is proposed to replace the sloping roof above the garage with full first floor accommodation under a forward-projecting hipped roof. The main front eaves line would continue around the forward projection and extend along the flank wall with the rear of the extension being covered by a continuation of the rear roof plane. The proposal would increase the bulk at first floor and roof level at the northern end of the house but the overall height of the roof would not change.

The two rear-facing dormers are to be retained but the central gable is proposed to be replaced by a stair tower midway between the dormers providing access to all floors and the roofspace. It is proposed to convert the roof space to a play room and storage area. The roofspace would be lit by rear-facing rooflights with a cill height of just over 1.8m. The stair tower is indicated to have rear-facing windows at all levels.

At first floor level the existing casements in the rear dormers, which both serve bathrooms, are proposed to be replaced. The bedroom at the rear of the extended first floor would be lit by a rear-facing roof window with a low cill just above floor level. At ground floor level (first floor at the rear) the French windows to the utility room at the northern end of the rear wall are proposed to be replaced by a conventional sash window with similar windows replacing all of the windows at both the front and rear of the house. A vertical obscure-glazed fixed window is proposed in the north-facing flank wall to provide secondary lighting to the utility room.

The front elevation would be remodelled with vertically orientated windows replacing the horizontal windows and a projecting portico to replace the recessed front door.

2. Policy Context

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. The Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with

the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

On the 6th March 2014, the government published Planning Policy Guidance (NPPG) which, along with the NPPF, is a material consideration in the determination of planning application. The NPPGs have been taken into account, where relevant in the following assessment.

CP1 - General Development Criteria

Policy CP1 of the local plan ensures development does not have a detrimental impact on the visual amenity or character and appearance of the area. Development should not impact on the general amenities of nearby occupiers, should be of a high standard of design and layout. The development should have satisfactory parking arrangements and not give rise to adverse highway conditions of safety concerns. Development should not have a detrimental impact on the environment due to the release of pollutants to land, air and water.

H15 - Hutton Mount

Within Hutton Mount any new development shall reflect the character and density of the surrounding area. Hutton Mount is an attractive residential area of over 80 hectares that is characterised by the number of large detached houses generally occupying spacious plots. Policy H15 seeks to secure the mature, well landscaped and spacious residential area with distinctive character.

3. Relevant History

- : - None

4. Neighbour Responses

The occupiers of No 28 to the north ("Woodlands") raise a number of objections. In précis:-

The proposal would significantly change the character and appearance of the property to the detriment of the spacious feel of the area. The proposal would not reflect the spacious character of Hutton Mount. The chalet bungalow at No 26 is similar to others in the area and is designed to prevent overlooking and an over-bearing relationship with neighbouring properties and to prevent loss of light.

No 28 is completely un-overlooked - the proposal would result in new windows at the rear including the loft space and stair tower providing unrestricted views into the garden of No 28. The size of the proposal would result in a loss of light.

The proposal would increase the roofline height of the dwelling and would be far too bulky. The rear elevation would look like a block of flats.

There is only 0.9m between the flank wall of the house and the boundary with No 28 and the proposal would conflict with Policy H15.

The 5m rear extension of would detract from the outlook from the lounge at No 28. The foundations would undermine our fence and cause subsidence to our rear access and garage.

The proposal would bring the side wall closer to No 28 and a large side window would overlook the garden of No 28.

The proposal would conflict with Policy CP1 (i) and (ii), Policy H15 and the Framework. It would adversely affect the market value of No 28 because purchasers would offer a lower price as a result of the dominating and over-bearing nature of the proposal.

5. Consultation Responses

- **:None**

6. Summary of Issues

Character and appearance

Oaklands lies at a dip in Hillwood Grove north of Hillwood Close. Woodlands, to north of the application property is built at a lower level than Oaklands. Both Oaklands and Woodlands have high front hedges enabling the houses to be glimpsed through the vehicle entrances. The north flank wall of Oaklands is about 0.9m from the side boundary with Woodlands but Woodlands is off-set from the boundary with a gated vehicle access to the side of the house.

The hipped roof of the first floor extension above the garage would reflect the character of the smaller projection at the southern end of the front elevation. The remodelling of the front of the house would create a different character from the existing house; however within the context of the wide range of houses in the area it is considered that it would not appear out of place.

The first floor addition above the garage would increase the bulk of the dwelling at its northern end and the full eaves height of Oaklands would extend closer to and forward of the line of the front of Woodlands. However differences in level occur throughout the gently undulating land in Hutton Mount and the step down from the flank of Oaklands to that of Woodlands would not detract from the character or appearance of the area. The design of the flank wall of the house, with the rear

roof plane extended to meet a low eaves line, would reflect that of the south elevation of Woodlands.

RLP Policy H15 indicates that in Hutton Mount no part of any building should be less than 1.2m to the plot boundary. The north flank wall of Oaklands is about 0.9m from the boundary with overhanging eaves beyond the wall. The proposal would not reduce the space between the flank wall of the house and the boundary and therefore whilst the bulk of the building would be increased the distance from the boundary would not change. The underlying purpose of Policy H15 is to ensure that new development reflects the character and density of the surrounding area and it is considered that the proposal would not conflict with that objective

At the rear of the house the lower ground floor extension would be larger than the existing conservatory; however additions of this type and scale are not unusual within this residential area where houses have generous gardens. The stair tower is a more unusual proposal but it would not be in public view and within the mix of forms at the rear of the house it would not unacceptably detract from the character or appearance of the area.

It considered that the proposal would not detract from the character or appearance of the area and that in this respect it would accord with the objectives of RLP Policies CP1 (i) and (iii) and H15 and those of the National Planning Policy Framework.

Living conditions

The proposed alterations and extensions principally affect the northern end of the house and would have no effect on the living conditions of the occupiers of "Willows" to the south.

The south facing flank wall of Woodlands to the north is off set from the boundary and contains no windows. In common with the application property Woodlands has accommodation at three levels. It has large windows at ground floor level at both the front and rear (those at the rear being in effect at first floor level). At lower ground floor level the area of the house nearest to Oaklands has a rear-facing "up and over" style garage door and there is no indication that it is used as living accommodation.

The proposal would increase the bulk of the forward projection containing the garage. Whilst the first floor addition would be visible at an oblique angle from the nearest front windows of Woodlands it would not materially detract from outlook. The main rear wall of Woodlands is positioned behind that of Oaklands and the changes at first floor and roof level would not be visible from the ground floor and first floor (dormer) windows at the rear of Woodlands.

The drawings are not fully detailed but it is estimated that the rear wall of Woodlands is about 2m back from that of Oaklands. The proposed lower ground floor extension would extend back about 3m from the rear of Woodlands. The lower ground floor has no windows in the vicinity of the extension and it would therefore have no effect on outlook at that level. Oblique views would be available down towards the extension from the ground and first floor windows but the outlook from those windows would not be harmed.

The increase in bulk at the northern end of the house and the larger rear extension would be apparent from the side-way to the rear garden of Woodlands and from the rear garden itself. However it is considered that neither of these aspects of the proposal would be unacceptably over-dominant.

The rear garden of Woodland is unscreened from the steps and passageway down to the back garden of Oaklands. It is also open to view from sideways facing windows in the conservatory and rear-facing French windows in the ground floor utility room (first floor level at the rear). Part of the side boundary has a tall conifer hedge alongside the fence (within the application site); but this does not extend the full length of the boundary and there are views into the rear garden of Woodlands and towards the rear of the house from the garden of Oaklands. The application form indicates that no trees or hedges would be removed but it is considered that part of the conifer hedge would need to be cut back or removed to enable the construction of the rear extension. However the hedge is of no ecological or amenity value and its removal could not be prevented.

The proposed lower ground floor extension would have no side-facing windows and would reduce the extent to which the garden of Woodlands is overlooked from within the house. The extent of outlook towards Woodlands at ground floor level (first floor at the rear) is unchanged with the existing French windows towards the northern end being replaced by a sash window. A window proposed in the flank wall would be a fixed-light obscure-glazed unit. The roof lights serving the converted loft would have high cills and would not result in overlooking.

The principal changes as regards potential for overlooking arise from the stair tower and the roof window proposed for the bedroom at the rear of the first floor addition (bedroom 4). The stair tower is proposed to have rear-facing windows up to roof level; however there is already a rear-facing window in the central gable and taking account of the distance and oblique angle of view towards Woodlands the higher window now proposed would have no material effect on overlooking of that property. The stair tower windows would have a more direct view towards the garden of No 1 Hillwood Close but taking account of the existing windows, distances, angles and the intervening vegetation in both gardens they would not result in unacceptable overlooking.

The bedroom 4 roof window would be directly above the replacement utility room window. Outlook from the window would be inhibited by its sloping nature, but it would enable views into the rear garden of Woodlands. The view would be limited by the set back rear wall of Woodlands and would not be materially different from the existing windows at Oaklands. The relationship between rear-facing windows and gardens of neighbouring dwellings commonly results in a degree of overlooking; taking account of the extent to which the rear garden of Woodlands is already overlooked from the house and garden at Oaklands the proposal would not result in unacceptable overlooking.

Overall, and subject to conditions as set out below, it is considered that the proposal would not conflict with Policy CP1 (ii) of the Brentwood Replacement Local Plan which indicates that developments should not have an unacceptable impact on the amenities of nearby occupiers, or with one of the core principles of the National Planning Policy Framework which indicates that a good standard of amenity for all existing and future occupants of land and buildings should always be sought.

Other matters

The occupier of Woodlands expresses concern about the effect of foundations on his property; however there is no indication that there is a particular risk of damage being caused in this location. In any event this is a private matter that is controlled by other legislation and does not justify the refusal of permission.

He is also concerned about the effect of the proposal on the market value of No 28; however;

Planning Practice Guidance indicates that the courts have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property could not be a material consideration (Reference ID: 21b-008-20140306).

Conclusion

The proposal would not detract from the character and appearance of the area or the living conditions of neighbouring occupiers and it is recommended that permission should be granted.

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 DRA01A Development in accordance with drawings

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 MAT03 Materials to match

The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building.

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

4 WIN03 Obscured glazing (on drawings)

The windows identified on the approved drawings as being obscure glazed 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 window(s) 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.

5 RESL04 No PD for windows etc

Aside from those indicated on the approved drawings, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows, dormer windows, glazed doors or rooflights shall be constructed without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

Informative(s)

1 INF02

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below. The Council has had regard to the concerns expressed by residents but the matters raised are not sufficient to justify the refusal of permission.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H15 the National Planning Policy Framework 2012 and NPPG 2014.

3 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.

4 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.

BACKGROUND DOCUMENTS

DECIDED: