

COMMITTEE REPORT

Reference:
17/00920/FUL

Site:
1 Ardleigh Gardens
Hutton
Essex
CM13 1QR

Ward:
Hutton East

Proposal:
New dwelling with associated parking

Parish:

Plan Number(s):

EX02;
PL01;
PL02;
PL03;
PL04;

Applicant:
Mr Thomas Bonner

Validated:
13 June 2017

Date of expiry:
8 August 2017

Extension of time (if applicable):

Case Officer: Ms Tessa Outram

This application has been referred by Councillor Hossack on the grounds that the proposal is for a small unit of accommodation which the site can accommodate. Another unit would not be out of keeping with the established housing density on the estate.

1.0 DESCRIPTION OF PROPOSAL

Planning permission is sought for the construction of an attached one bedroom dwelling house to the west of No.1 Ardleigh Gardens. The proposed dwelling would be two storey in nature with a pitched roof and with access to the house and vehicular parking provided from Fairview Avenue.

2.0 SITE DESCRIPTION

The application site is the corner garden of 1 Ardleigh Gardens, on the junction with Fairview Avenue. The site is currently occupied by a two-storey end-of-terrace dwelling with a generous side space facing onto Fairview Avenue. The new dwelling would have its principle elevation, i.e. the front door, facing into Fairview Avenue.

The estate is typically suburban and characterised by rows of terraced houses of similar designs and typologies, which in the main benefit from long front gardens. The area has a distinctive spatial character derived from these set backs, coupled with verdant corner plots and small areas of open space seen throughout the estate. These elements combine to provide an attractive suburban character.

3.0 RELEVANT HISTORY

- 16/00392/FUL: New dwelling with associated parking - Application Refused

4.0 SUMMARY OF CONSULTATION RESPONSES

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

- **Highway Authority-**

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, as shown on drawing no.PL02 (Ground Floor Plan as Proposed); given the area to be provided for parking within the site, which complies with Brentwood Borough Council's adopted parking standards, subject to conditions.

5.0 SUMMARY OF NEIGHBOUR COMMENTS

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby.

Detailed below is a summary of the neighbour comments. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

One neighbour representation letter was received objecting to the proposed development. The concerns arising from the objection letter included:

- Estate is open plan with green spaces on corner plots - a protruding new build would look out of place in this area.
- No.1 Ardleigh gardens will be left with little or no back garden
- Too intrusive and would spoil the outlook to the original open plan estate.
- New build will block the view of motorists on a curved hill
- New existing fence already blocks the view of motorists

6.0 POLICY CONTEXT

The starting point for determining an application is the development plan, in this instance, the Brentwood Replacement Local Plan (RLP) 2005. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the following RLP policies, the National Planning Policy Framework (NPPF) 2012 and National Planning Policy Guidance (NPPG) 2014.

RLP Policy: Policy CP1 General Development Criteria
Policy T2 New Development and Highway Considerations

NPPF Sections: Core Planning Principles
Chapter 7 (requiring good design)

7.0 ASSESSMENT

The main considerations in the determination of this application are; principle; design, residential amenity, living conditions and parking and highway considerations.

Planning History

Planning permission has previously been refused and dismissed at appeal for a similar development on this site for the construction of an attached two bedroom dwelling. The Inspector concluded that the development would significantly harm the distinct character and appearance of the surrounding area by way of the proposed dwellings proximity to the boundary with Fairview Avenue which would considerably diminish the open appearance of the corner and detract from the spacious suburban character of the estate. This is a material consideration in the determination of the current application and as such carries considerable weight.

Within the surrounding area an appeal has also been dismissed at No.6 Willingale Close, where the Council refused a planning application to construct an attached dwelling at this site for the same reason, resulting in a cramped and incongruous development that would significantly and demonstrably harm the character and appearance of the area.

Principle of Development

The application site is located within a residential area and as such the principle of some form of development on the site is acceptable but only subject to other considerations such as the design and its impact on the character and appearance of the area, and the impact it has on the residential amenity of adjoining occupiers.

The proposal seeks to develop part of the garden area at the application dwelling.

Paragraph 53 of the NPPF states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Such a policy would be considered as part of the evolving replacement Local Development Plan.

Design, and impact on the Character and Appearance of the area.

The proposal has been amended from the previously refused scheme by primarily reducing the width of the dwelling. The space between the dwelling and the side boundary with Fairview Avenue would be reduced from between approximately 7.4 metres and 8.5 metres, to approximately 3.1 and 4.3 metres. The previous scheme proposed a reduction in side space to 1.5m and 2.6m.

However, given the location of the site on the apex of a hill and within a curve in the road it is considered the presence of the proposed new dwelling in this siting would appear unduly prominent in the street scene: the dwelling would still extend significantly further forward of the established building line of the dwellings in Fairview Avenue (see drawing PL01 for block plan reference) and be out of keeping with the surrounding pattern of development which is defined by houses set back from the road by their generous front gardens, in conflict with the Local Development Plan Policy CP1 (i).

This in combination with the urban paraphernalia that is associated with the dwelling (fencing, hedgerow, vehicle parking, cycle and refuse storage, two pedestrian ramps and private rear garden) that is proposed between the dwelling and the side boundary, would unacceptably diminish the open character of the estate and therefore be harmful to the defining character of the area.

Although the style of the proposed house reflects those to which it would be attached, if this development were to be approved, Officers consider that it would be very difficult for the Council to resist proposals for similar developments at many of the other open

corner plots within the surrounding area; the cumulative effect of this would be to eventually erode the existing character of the otherwise pleasant and open character of the estate.

In doing so, the proposal fails to reinforce the local distinctiveness of the area and fails to comply with national planning policy set out in Part 7 of the National Planning Policy Framework.

Impact on neighbours living conditions

The main dwelling that could be adversely affected by the proposal is the application dwelling; No.1 Ardleigh Gardens. The proposed dwelling would not extend beyond the building lines of No.1 and it is considered that it would not result in any harm because of overlooking, lack of privacy, overbearing effect or general disturbance to these occupiers.

Living Conditions

Both dwellings will be provided with gardens of over 79 sq. m which are of acceptable sizes for 1 and 2-bedroom dwellings. All habitable rooms in the existing and proposed houses will be provided with windows to provide light, ventilation and outlook to these rooms. It is therefore considered that the proposal would provide adequate living conditions for any future occupiers of the dwellings.

Parking and Highway Considerations

The neighbour concern regarding visibility splays is noted however the Highway Authority consider the proposed parking provisions and site lines acceptable.

Other Matters

The applicant has referred to the site at 84 Fairview Avenue where a two-storey side extension that has been permitted. However, the two sites are not directly comparable and it is an accepted planning tenet that each site is assessed on its own merits.

The neighbours comments have been addressed in the report above.

8.0 CONCLUSION

The siting of the proposed dwelling is unacceptable as it would cause significant and demonstrable harm to the character of the area by the diminishment of spatial qualities which is one of the defining characters of the area.

Whilst, it is recognised that the Council cannot demonstrate a 5 year housing supply, this proposal for 1 additional dwelling would have a very limited impact on the housing supply of the area. Given the significant and demonstrable harm identified to the

character and appearance of the area, it is not considered that the addition of 1 dwelling would outweigh this harm identified.

The proposal is therefore recommended for refusal in terms of Chapter 7 of the NPPF and Policies CP1(i) and CP1(iii) of the Local Plan.

9.0 RECOMMENDATION

The Application be REFUSED for the following reasons:-

R1 U20460

The proposed attached dwelling would appear unduly prominent and have a retrograde effect on the setting of the otherwise spatial quality of the area, which is characterised by open corner plots, generous front gardens and green spaces. The siting and layout of the development fails to reinforce the local distinctiveness of the area, and if permitted, would likely set an unacceptable precedent for further erosion of the open corner plots that characterise the estate. The proposal therefore conflicts with Policy CP1 (i) and (iii) of the adopted Brentwood Replacement Local Plan and the aims and objectives of the National Planning Policy Framework, as such it cannot be defined as sustainable development.

Informative(s)

1 INF05 Policies

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

2 INF20 Drawing Numbers (Refusal)

The drawing numbers listed above are relevant to this decision

3 INF25 Application Refused Without Discussion

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development. Details of the pre-application service can be found on the Council's website at www.brentwood.gov.uk/preapplicationadvice

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.brentwood.gov.uk/planning