

<b>SITE PLAN ATTACHED</b>
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**65 KILWORTH AVENUE SHENFIELD BRENTWOOD ESSEX CM15 8PT**

**DEMOLITION OF EXISTING GARAGE, CONSERVATORY AND 90% OF THE DWELLING, RESULTING IN A NEW ROOF TO CREATE A FIRST FLOOR WITH TWO FRONT DORMERS AND REAR GABLE, SINGLE STOREY REAR EXTENSIONS AND ALTERATIONS TO FENESTRATION (PART RETROSPECTIVE) (REVISION TO APPROVAL 20/01035/HHA).**

**APPLICATION NO: 21/00098/FUL**

<b>WARD</b>	Shenfield	<b>8/13 WEEK DATE</b>	19 March 2021
<b>PARISH</b>		<b>POLICIES</b>	CP1 H17
<b>CASE OFFICER</b>	Mrs Carole Vint	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	P001; P100; P200; Location Plan;		

**The application has been referred to the Committee due to the applicant being a family member of an elected Councillor.**

**1. Proposals**

The proposal comprises the demolition of existing garage, conservatory and 90% of the dwelling, resulting in a new roof to create a first floor with two front dormers and rear gable, single storey rear extensions and alterations to fenestration (part retrospective) (revision to approval 20/01035/HHA).

**2. Policy Context**

Brentwood Replacement Local Plan 2005

Policy CP1 General Development Criteria  
Policy H17 Dormer Windows

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework

(NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019 with a further focused consultation, following revisions to the detailed wording of some of the proposed housing allocations, later in the year. The plan was submitted to the Planning Inspectorate in February 2020. The Examination in Public hearing sessions opened in December 2020, concentrating on strategic matters, with hearings on more detailed matter held at the beginning of February 2021, as set out in draft timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is projected that it could be adopted by the Council later in 2021.

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. While submission of the Local Plan is a further step in progress towards adoption, as the plan has yet to complete its progress through an Examination in Public it is still considered that it currently has limited weight in the decision making process.

#### National Policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

### **3. Relevant History**

- 20/01035/HHA: Demolition of existing garage and conservatory, Increase ridge height and extend roof to create first floor with 2 front dormer and rear gable, add single storey rear extensions, alterations to fenestration -Application Permitted
- 19/01480/FUL: Demolition of existing garage and conservatory, Increase in height of ridge to create first floor, single storey rear extension and remodelling of existing property and construction of porch -Application Refused

### **4. Neighbour Responses**

No comments received.

### **5. Consultation Responses**

None consulted.

## **6. Summary of Issues**

The principle of the redevelopment has been established by granting planning permission for various extensions under reference 20/01035/HHA. The current application seeks to regularize the additional development already undertaken, in so far as the scope of that work included significant demolition of the original building; and a minor revision to the design. The revision to design is the alteration of the single storey rear projection, changed from a pitched roof to a flat roof with a lantern top.

The main issues which require consideration as part of the determination of this application are:

- The impact of the proposal on the character and appearance of the area;
- Impact on the living conditions of the occupiers of neighbouring properties;

### **Design, Character and Appearance**

The application site is located on the eastern side of Kilworth Avenue, in a prominent position opposite the junction with Rochford Avenue. Dwellings in the area are a mix of style and design, including two storey attached and semi detached, with gable projections and dormer windows evident. The original application building, a modest size detached single storey bungalow has been substantially demolished so that its form and scale have effectively ceased to exist.

In its place, it is proposed to construct a two storey high chalet bungalow with 2 pitched roof dormers to the front, a first floor rear gable projection and single storey rear extension. The ground floor would accommodate 2 reception rooms and an 'L' shaped living/dining room to the rear. Three bedrooms and a family bathroom are shown at first floor.

The building would retain the original footprint plus the addition of a single storey element to the rear. The height of the new building would be approximately 6.5 to the apex and 3m to the eaves. The roof profile would change from pitched/hipped to gable ended with an increase in height of 300mm. An indicative street scene drawing identifies the differences in ridge heights with the adjacent properties, with the roof of the application dwelling being set slightly lower than No. 63, albeit having a differing roof design. Due to the gradient in the street, the application dwelling sits slightly higher than No. 67. Overall, it is considered that the new design is acceptable and would be compatible with the surrounding character and appearance of the area.

The rear elevation would comprise a two storey pitched gable roof, and a single storey flat roof extension. The two storey element would have a pitched roof with gable end; the single storey element would project from the southern half of the building. Glimpses of the rear elevations would be had from the road, but the overall size and design are acceptable. Facing materials are proposed to match the original house.

## Effect on neighbours Living Conditions

It is considered that the first floor window in the northern side elevation should be obscure glazed and non opening below 1.7m. On the south elevation, one window should be obscure glazed and all windows should be non opening to prevent unacceptable overlooking into neighbouring properties.

The common boundary to the rear is located some 31 metres away, and it is considered the neighbours to the rear are far enough away for the proposal not to impact on their living conditions.

The marginal increase in height, changes to the scale and redesign of the building would not result in an overbearing effect on either of the adjacent neighbours.

Overall the proposal is considered to comply with local plan policies CP1 and H17, subject to the recommended conditions.

## Conclusion

The proposal is compliant with Policies CP1, H17 of the Brentwood Replacement Local Plan and the NPPF and NPPG. The application is recommended for approval subject to conditions.

## **7. Recommendation**

The Application be APPROVED subject to the following conditions:-

### **1 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.

### **2 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.

### **3 U0038667**

The first floor window serving a stairwell and the ground floor window serving a cloakroom, in the south west elevation facing No. 63 shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-openable. The remaining windows in the south west elevation serving a storage cupboard and living shall be non-openable; The first floor window in the

northern elevation serving the bathroom 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 and to restrict the windows from opening on the south west elevation onto adjacent land outside the ownership of the applicant.

#### Informative(s)

##### 1 INF01

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

##### 2 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.

##### 3 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H17, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

##### 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:**

