

SITE PLAN ATTACHED

264 RAYLEIGH ROAD HUTTON BRENTWOOD ESSEX CM13 1PX

PROPOSED FIRST FLOOR SIDE EXTENSION, SINGLE STOREY REAR EXTENSION, REMOVAL OF CHIMNEY, INSERTION OF ROOF LIGHT, INSTALLATION OF SOLAR PANELS AND CONVERSION OF GARAGE INTO HABITABLE LIVING ACCOMMODATION WITH AN ENTRANCE DOOR AND WINDOW FOR THE SUB-DIVISION OF EXISTING DWELLING TO CREATE NEW DWELLING WITH ASSOCIATED PARKING AND AMENITY SPACE. PROPOSED WIDENING OF EXISTING VEHICULAR ACCESS.

APPLICATION NO: 23/00327/FUL

WARD	Hutton East	8/13 WEEK DATE	31 May 2023
PARISH		Ext of time	4 August 2023
CASE OFFICER	Ms Brooke Pride		
Drawing no(s) relevant to this decision:	22-1349 Rev 08 D02; 22-1349 Rev 07 D06; 22-1349 Rev 07 D07; 22-1349 Rev 07 D08; 22-1349 Rev 07 D09; 22-1349 Rev 07 D01;		

This application has been referred to committee following a request of Ward Councillor Rigby with the following reasons:

Highway safety and traffic levels

The parking scheme will effectively require any vehicles to reverse on and off a narrow frontage at both 264 and 264A onto the main road, the fast-flowing Rayleigh Road / A129. I believe a physical inspection of the property will demonstrate that. The absence of any objection by the highways authority does not conclusively dispose of this objection as per the previous application and would result in potential harm to highway safety. I do not believe the widening of existing access from Rayleigh Road to be used by both dwelling houses will achieve the results sought and inspection will demonstrate this.

Design, appearance and layout/ effect on the area

The proposed development changes the status of the dwellings from semi-detached to terrace which is out of context with the surrounding character of the site and represents a significant change from the chalet-style developments prevalent in this section of Rayleigh Road from Goodwood Avenue to Havering's Grove. No evidence is offered by

the planning officer in support of the application of approved, named, previous planning applications other than bare assertion.

Furthermore, the comparison with terraced developments to the east of the site is inappropriate, as no examples of terracing in that style can be seen in the immediate area, which are of a detached or villa style. The development is out of character with the immediate surrounding area, as opposed to the more built-up elements of Hutton East from Rayleigh Road as it meets St Peter's Church. The comparison is therefore misleading.

The boundary of the site runs behind the dwellings of Goodwood Avenue, and separated by a strip of land as shown upon drawing No. 22-1349-08-D02. The proposed development is within close proximity of the dwellings and has effectively incorporated, the drainage ditch, a historic and known wildlife corridor to Hutton Country Park, in excess of curtilage.

The latest application basically seeks to divide into two, leaving a very narrow but very long rear garden for one, and a truncated garden for the other, on which a number of houses in Goodwood Avenue back on to either one, or the other, from No 2 to No. 12 Goodwood Avenue. The space provided as a result of the split is cramped and narrow at 50sqm and 5.4m wide which is barely indicative of good garden quality. It is totally out of context with surrounding gardens, and does not provide a good level of amenity, as the plot of 264A is only 2.5 m wide at the north end.

Need to safeguard the countryside or protected species of plant or animal

The application will impact on the unregistered land which acts as a drainage ditch, owing to heavy clay soil, shown in the plans which extends from the rear of 264 Rayleigh Rd until 18 Goodwood Avenue, when it appears in a culvert, re-surfacing before it joins a stream in Hutton Country Park and thence the River Wid, acting as a potential soakaway

It has been a wildlife corridor for hedgehogs, badgers and foxes and was the site of a historic hawthorn hedge bordering the ditch, which needs to be protected for drainage, water absorption and benefit of wild life. While the hedge was razed to ground level in May 2020, it now shows signs of recovery.

The planning history of the site

There has been a catalogue of applications for this property, stretching back twenty years, of which this is the latest attempt to capitalise on the value of the property without regard for the overall neighbourhood, with a long history of applications, failed and withdrawn, of which only the most recent have been listed. This property has benefited from extensive additions in excess of 50% since build in 1962, and should be preserved as a single dwelling-house. An approval of this application would be to condone the destruction of the drainage ditch and also the improper adoption of land.

1. Proposals

Planning permission is sought for the demolition of a single storey storage building and construction of two detached, two storey dwellinghouses, with associated parking and gardens.

2. Policy Context

The Brentwood Local Plan 2016-2033

The Plan was adopted as the Development Plan for the Borough on 23 March 2022. At the same time the Brentwood Replacement Local Plan, August 2005 (saved policies, August 2008) was revoked.

- Policy BE14 Creating Successful Places
- Policy BE13 Parking Standards
- Policy BE02 Water Efficiency and Management
- Policy BE04 Managing Heat Risk
- Policy BE11 Electric and Low Emission Vehicles
- Policy HP06 Standards for New Housing

National Planning Policy and Guidance

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

3. Relevant History

- 19/00367/FUL: Conversion of dwelling into two dwellings to include single storey rear extension, proposed front canopy, first floor side extension, garage conversion into habitable room and rear dormer. – Application Refused
- 18/01806/PN42: Single storey rear extension. The proposed extension would extend 6m beyond the rear wall of the original dwelling, the maximum height of the proposed extension would be 3m and the proposed eaves height would be 3m. – Prior Notification is Required/Refused
- 18/01163/FUL: Single storey rear extension, first floor side extension over garage, conversion of garage to habitable room, single storey front extension and loft conversion to include roof light to the front and dormer to the rear. – Application Permitted

4. Neighbour 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/>

One neighbour objection has been received for this application:

- The block plan submitted is flawed and claims land outside of the ownership

Officer comment: A revised site location and block plan has been received removing the strip of land to the side of the site from the red outline.

- The proposed amenity space for the dwelling is awkward, impractical and restricted.

Revisions have been made to the proposed amenity space, with the assessment set out in detail within the main body of the report.

- Vehicles would exit the site in a reverse gear which is dangerous due to the speed of the road and traffic.

-

The highway authority have raised no objection to the vehicle manoeuvres proposed by the development as per the previous application. The proposed parking and vehicle movements would not result in harm to highway safety.

- The proposed development would change the status of the dwellings from semi-detached to terrace which is out of context with the surrounding character of the site.

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The impact of the development upon the character of the area will be assessed within the report below.

5. Consultation Responses

- **Highway Authority-**

A site visit has been previously undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal includes the subdivision of the site and loss of a garage to habitable accommodation. A widened vehicular access is included and subject to conditions, each dwelling shall be provided with two compliant off-street parking spaces within each curtilage, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

6. Summary of Issues

Planning permission is sought for a first floor side extension over existing garage, a single storey rear extension, the removal of the chimney, installation of roof light and solar panels, the conversion of the existing garage into habitable space and fenestration changes for a door and window to allow for the sub-division of the building to create an additional dwelling with associated parking and amenity space with the widening of the existing access from Rayleigh Road to facilitate access.

Site Description/Background

The application site is located on the east side of Rayleigh Road, occupied by a semi-detached dwelling which has been extended at single storey and the front amenity space paved to provide off street parking.

Planning permission was refused under application 19/00367/FUL on 24th September 2019 for a similar development for the following reasons:

1

The proposed rear dormer by reason of the size and design would be poorly related to and an overly dominant feature of the roof slope into which it is to be inserted. As such, the dormer would appear out of character with the dwelling and harmful to the character of the surrounding area. This element is therefore in conflict with Local Plan Policies CP1 (i), (iii) and H17 of the Brentwood Replacement Local Plan 2005 and the aims and objectives of the National Planning Policy Framework.

2

By reason of the design size and siting, the proposed rear extension would be an unneighbourly addition, given its size and close proximity to the boundary line. Furthermore the proposed front hardscaping, alterations and materials would result in an incongruous appearance to the front elevation, harmful to the overall character and appearance of the area and the development would represent an overdevelopment of the existing building, and as such, the extensions would result in significant material harm to the character and appearance of the area and the dwelling itself, failing to safeguard local distinctiveness and contrary to Chapter 12 of the National Planning Policy Framework and Policy CP1(i) and (iii) of the Brentwood Replacement Local Plan 2005.

3

The proposal results in a development constrained within the site and results in an awkward amenity arrangement to the rear of the dwelling and does not safeguard the future occupiers of the site and therefore fails to meet the requirements of policy CP1 and the National Planning Policy Framework that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Following the refused application, pre-application advice was sought to discuss the reasons for refusal and explore whether a revised scheme could overcome concerns.

Design, Character and Appearance

The proposal includes works to the existing dwelling and extensions in order to create an additional dwellinghouse to the side of No.264 Rayleigh Road. A 1.8m wide first floor extension is proposed to the side of house and would follow the existing ridge line and front building line.

The application dwelling would be extended by 2.4 metre at ground floor to the rear and the new dwelling would be extended at ground floor rear by 1.4 metre both with a flat roof. The development would also include alterations to the fenestration of the ground floor by replacing the garage door with a window and entrance door for the new dwelling; a roof light and PV panel is proposed within the roof.

Following the refused application, the scale of extensions have been reduced, the rear dormer has been removed and the single storey apron has been removed. If granted permission, it is considered that a condition to remove permitted development within the roof is attached, to allow the Local Planning Authority the opportunity to manage development that may result in over development or loss of amenity.

The resulting development would change the pair of semi detached to a short row of 3 terraced dwellings. A terrace feature is a common design layout and not considered to be harmful to the surrounding character of the area; the front fenestration in both properties would mirror each other, facing materials would be to match the existing house and the ridge line would be continuous. As a design feature the terrace is not inherently unacceptable and examples of terraces can be found in nearby roads such as Tomlyns Close. There is no one strong overriding pattern of development in this part of Rayleigh Road. Other schemes along Rayleigh Road have created additional dwellings to existing semi detached, such as 194 Rayleigh Road. Notwithstanding, the proposed creation of a new dwelling in this location is considered acceptable in planning terms on its own merit.

The single storey rear extensions to both the existing and new dwelling have been reduced in comparison to the previously refused application, and improves the space provided for the rear amenity. The proposed extensions would retain a spatial distance between the neighbouring dwellings and would not result in a cramped or contrived addition within the street scene.

The solar panels proposed to the rear of the new dwelling are not visible from the public realm. Such additions to properties serve to support sustainable renewable energy and are increasingly common feature within urban areas. It is considered that they would not have an unacceptable harmful effect on the visual amenity of the area.

The proposed development relates well to its immediate setting within Rayleigh Road and the wider context. It is considered that the proposal 19/00367/FUL has overcome

the design reasons set out in the previous refusal and as such is compliant with policy BE14 of the Local Plan.

Impact upon Neighbour Amenity

No.268

The neighbouring dwelling No.268 is a detached bungalow that has benefitted from a single storey rear and side extension that is situated upon the common boundary shared with the application dwelling. The brick wall of the neighbouring dwelling extends along the chamfered alleyway to the side of the site. The existing ground floor of the application dwelling which accommodates part of the garage also has a chamfered design to accommodate a side access into the rear amenity space of the dwelling. The first floor side extension will extend 1.8 metres from the flank wall to the existing ground floor building line and follow the chamfered design. The flank wall of the neighbouring dwelling creates the boundary treatment between the two properties for part of the site, to the rear the boundary treatment changes to a close boarded fence and to the front the boundaries are separated by a brick wall and planting.

The proposed side extension would be set in from the common boundary by 1.5 metres at the front of the site which narrows to 0.9 metres at the closest point towards the rear of the extension. The first floor side extension includes a side facing window which would be conditioned as obscured glazed to prevent any material overlooking into the amenity areas of No.268. The proposed single storey rear extension will also be set off from the common boundary by 0.3 metres. The proposed development would not result in an overbearing impact by way of its size or loss of privacy or loss of light to the neighbouring occupiers.

No.262

The proposed single storey rear extension will be set along the common boundary shared with No.262. The single storey rear addition has been reduced compared to the previous application will not extend deeper than the neighbouring extension. The proposed development will not detrimentally impact upon the living conditions of the neighbouring occupiers by way of overbearing impact, loss of privacy or loss of light.

The boundary of the site runs behind the dwellings of Goodwood Avenue, and is separated by a strip of land as shown in drawing No. 22-1349-08-D02. The proposed development is at an angle to these dwelling and far enough away so as not to result in any unacceptable overlooking or loss of privacy.

The proposed development is compliant with policy BE14 of the local plan.

Future Living Conditions

Policy HP06 of the Local Plan requires new development to accord with the internal space standards set out within the DCLG technical housing standards. One of the

previous reasons for refusal was based upon the limited and awkward amenity space that would be provided.

A survey of the site has been carried out, which confirms the sites boundaries on drawing No. 22-1349-08-D02. Both dwellings would be provided with adequate useable garden areas.

Each room is provided with sufficient light and ventilation, the dwellings will be dual aspect. The dwellings are provided with the space to meet the technical housing standards for a bedroom 3 person house, including storage.

The revisions overcome one of the previous reasons for refusal and now provides a usable amenity space and good quality living conditions for any future occupiers of the site in compliance with Policy HP06.

Sustainability

Except for the modest single storey rear elements, the proposed development would be contained within the footprint of the existing building. The rear elevation is north facing with larger windows and doors to mitigate any overheating of the new house as required by policy BE04. The development includes renewable energy sources; solar panels and includes an electric car charging for the existing and proposed dwelling. Part of the front driveway is within an area considered to have low risk of surface water flooding, no other part of the site is within a critical drainage area or considered to have assets that aid with surface water flooding.

The proposal is considered to comply with the aims and objectives of policies BE02, BE04 and BE11 of the BLP.

Highways and Parking

The proposed development includes the widening of an existing access from Rayleigh Road to be used by both 264 and the new dwelling. The development will also provide two off street parking spaces per dwelling at a size of 2.5m x 5m which measured from drawing 22-1349-08-D02 is achievable. The highway authority are satisfied with the proposed parking layout and provision, subject to conditions as per the previous planning application and raise no concern of any impact of the manoeuvring in and out of the driveway.

The development would provide a safe access to the existing and proposed dwellinghouses and provide two off street parking spaces per dwelling which would comply with the minimum parking standards set out with Policy BE13 of the Local Plan.

Other Matters

The neighbour objections have been addressed within the report. Revisions were received during the period of the application addressing issues raised by neighbouring occupiers regarding the ownership of land. The red line boundary has been amended as per land registry documentation and a site survey has been carried out to provide the measurement of the site and its own boundaries.

Essex County Council map flooding information confirms that the ditch alongside the site does not contribute to flood mitigation. The proposal is more than 20m from a watercourse and will not increase the risk of flooding elsewhere. The application submission confirms that there are no protected or priority species on the site and no trees or hedge are proposed to be removed as part of the development.

Conclusion

The principle of an additional dwelling is acceptable subject to the application meeting all development management requirements. The proposal is considered to meet the criteria of local plan policies and as such represents sustainable development; no significant adverse impacts have been identified and the presumption in favour of sustainable development is therefore triggered. The proposal is compliant with policies BE14, BE13, HP06, BE02, BE04, BE11 of the local plan, the NPPF and the NPPG and as such is recommended for approval subject to condition.

6.0 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

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

The first floor east facing window serving the internal 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.

5

Prior to first occupation of the development and as shown in principle on planning drawing 22-1349 Rev 07 Page 09, the vehicular access shall be widened to provide a suitable dropped kerb vehicular crossing of the footway.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy BE13 of the Local Plan

6

Prior to first occupation of the development and notwithstanding the dimensions of the parking spaces on planning drawing 22-1349 Rev 07 Page 09, each parking space shall be provided with dimensions in accordance with current parking standards. The vehicle parking areas shall be retained in the agreed form at all times.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy BE13 of the Local Plan

7

Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy BE13 of the Local Plan

8

Prior to first occupation, the proposed building shall be provided with, as a minimum, the space and infrastructure required to provide at least 1 electric vehicle charging/plug-in

points for the future occupants of the building and visitors to the site.

Reason: in order to provide for the transition to electromobility and reduce pollution and climate change impacts in the interests of the health and wellbeing of the public in accordance with policy BE11.

9

The proposed building shall not proceed above slab level until details of:

- measures to ensure that the building does not exceed 110 litres per person per day;
- measures to provide wastewater infrastructure capacity;
- measures to achieve lower water consumption rates and to maximise futureproofing;
- measures to demonstrate the development would not have an adverse impact upon the sewerage network;
- measures to improve water quality and protect the quality and functioning of existing water courses/groundwater.

have been submitted to and approved in writing by the Local Planning Authority. Where adverse impacts are identified, mitigation measures shall be set out. The development shall be implemented as approved.

Reason: in order to ensure that the proposed development incorporates the sustainable principles in relation to policy BE02 of the Brentwood Local Plan.

10

Aside from those indicated on the approved drawings, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no dormer windows, or rooflights shall be constructed and no change shall be made to the shape of the roof 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

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 in representations, but the matters raised are not sufficient to justify the refusal of permission.

2

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

The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE13, BE14, HP06, BE11, BE04, BE02; National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

4

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

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

<https://www.brentwood.gov.uk/-/applicationsviewcommentandtrack>