

SITE PLAN ATTACHED

**03. THE SURGERY SITE AND LANDINGS OUTINGS LANE DODDINGHURST
ESSEX CM15 0LS**

**DEMOLITION OF FORMER DOCTORS SURGERY AND ADJACENT
DWELLING KNOWN AS THE LANDINGS AND CONSTRUCTION OF 5 NO.
DETACHED DWELLINGS.**

APPLICATION NO: 14/00627/FUL

WARD	Brizes & Doddinghurst	8/13 WEEK DATE	18.07.2014
PARISH	Doddinghurst	POLICIES	NPPF NPPG H6 H9 H14 H17 CP1 T2
CASE OFFICER	Charlotte Allen	01277 312536	
Drawing no(s) relevant to this decision:	PL 02 ; PL 03 ; PL 04 ; PL 10 ; PL 11 ; PL 12 ; PL 13 ; PL 14 ; PL 15 ; PL 16 ; PL 17 ; PL 18 ; PL 19 ; PL01A ;		

This application was referred by Parish Councillor from Weekly Report No 1649 for consideration by the Committee. The reason(s) are as follows:

This application was referred to Committee by Cllr Blake on behalf of the Parish Council for the following reason: The officers recommendation is for a refusal on the basis that (1) the development does not seek to provide any affordable housing to the detriment of local housing opportunities and (2) that the two dwellings to the front of the site are of poor design and fail to take in the local distinctiveness of the area.

Update since publication of Weekly List 1649

Since the application appeared on the Weekly List 7 additional neighbour representations have been received and Planning Policy and Housing comments have also been received and are now included in the Committee report.

1. Proposals

Planning permission is sought for the demolition of the existing buildings on the site; a former doctors surgery and a dwelling and it is sought to construct 5x detached dwellings on the site.

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. This 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). The National Planning Practice Guidance (NPPG) is a material consideration in the determination of this application.

H6 - Small Unit Accommodation

H9 - Affordable Housing on Larger Sites

H14 - Housing Density

H17 - Dormer Windows

CP1 - General Development Criteria

T2 - New Development and Highway Considerations

3. Relevant History

- 13/00578/FUL: Construction of 2 No dwellings. -Application Refused
- 13/00008/OUT: Outline application for the demolition of former doctors surgery and construction of two detached dwellings. Access, layout and scale to be determined. appearance and landscaping reserved. -Application Permitted
- 12/01280/OUT: Outline Application with all matters reserved for 2 No detached residential dwellings. -Application Permitted
- 12/00718/OUT: Outline application with all matters reserved for 3 no. detached residential dwellings. -Application Refused
- 01/00014/FUL: Formation Of An Area Of Hardstanding To Provide Additional car Parking Spaces. -Application Permitted

4. Neighbour Responses

26 neighbour letters were sent out and a site notice displayed.

To date 10x letters have been received, eight objections, one support and one neither explicitly providing support nor objection to the proposal:

8x objection letters makes the following comments:

- Plots 1 and 5 are too high to be in-keeping with the area as Outings Lane is predominantly bungalows of 1.5 storey chalet style properties.
 - Sub-standard parking. 10 parking spaces unlikely to be adequate for a site with 22 bedrooms. Deficient 6/7 spaces. No visitor parking provided. Poor public transport in the area means more parking should be provided. Existing parking bays still used by some residents.
 - Believe parking will overflow onto Outings Lane - was previously a problem with the doctors, causing congestion and danger.
 - People will park in the road/ on pavement.
 - The width of Outings Lane adjacent to the plot is narrow.
 - Plot 4: the windows of the landing, bedroom 1 en-suite and bedroom 3 have direct line of sight into first floor rooms in Bardfield Cottage on Blackmore Road - request removed and sky lights used instead.
 - Overlooking from plot 2, 3, 4 and 5 of gardens and rooms.
 - If these matters can be addressed we have no further objections.
 - No objection in principle but object to submitted application.
 - Loss of view.
 - Cause loss of privacy and overlooking. Windows facing my property should be fixed and frosted.
 - No objection to trees being retained but need to be maintained.
 - Outings Lane/ Blackmore Road junction is already problematic - should be improvements to the junction as part of the development. Road network already struggles with traffic volume.
 - Back garden development should be avoided as it has an unacceptable detrimental impact on the visual amenity and character and appearance of the area contrary to CP1(i).
 - Other houses in Outings Lane are on generous plots with long gardens giving open and spacious feel to streetscene. Proposal would be crammed with detached houses on comparatively small plots.
 - Height would be overbearing
 - Size and scale will dwarf nearby properties and are not compatible with their location; particularly concerning as adjoining property Barfield Farm is Grade II Listed.
 - Unimaginative run-of-the-mill executive house design.
 - Overbearing and loss of light.
 - Loss of mature trees.
 - Increased noise from gardens and traffic noise and general disturbance.
- Disturbance during construction.

- Concerns about impact of foundations.
- Overdevelopment of the site.
- Replacing gardens with houses will have unacceptable impact on the visual amenity of the site and area.
- Design is incompatible with the area and style of design is not of a high standard compared to the area.
- Surrounding properties have been refused three storey as incongruous.
- Local wildlife including badgers and newts are present.
- No consultation with local residents have taken place.
- Will create crowded and overlooked homes.
- Will part urbanise what still remains a rural area.
- Will be beyond the financial reach of most new families.
- No intention for adoption of this cul-de-sac.

1x letter of support makes the following comments:

- In favour of the proposal.
- Would be a welcome addition to the area.
- Only concern is that a footpath is shown leading to the entrance of the site from Blackmore/Hook End Road but not continuing thereafter.
- Feel there could and should be a footpath in front of Plot 1 so the footpath is continuous ensuring pedestrian safety.
- Have children attending Doddinghurst School and the journey can be treacherous in its current state, however, current proposal requires pedestrians to either walk in the road or on the grass verge which will deteriorate.

1x letter which does not expressly state whether it supports or objects to the proposal comments:

- Welcome application for executive homes which is in-keeping with the surrounding properties.
- Each property is slightly different is also in-keeping with Outings Lane.
- Concerned whether there is sufficient parking; have single garages, properties this size normally have garaging for two vehicles and additional parking. Request garage sizes checked to be large enough for family sized vehicle. Three properties can accommodate just two vehicles, with limited parking available for visitors which has proven troublesome elsewhere.
- Want to avoid the situation when doctors surgery was open which resulted in parking down Outings Lane.
- Support style and size of properties proposed.
- Wonder if it would be better to reduce the number of properties to 4 to provide sufficient parking.

5. Consultation Responses

- **Highway Authority:**

The Highway Authority would not wish to raise an objection to the above application as shown on Revised Drawing no. PL01 Rev.A, subject to the following conditions being attached to any approval, given the location, the previous use of the site and the area to be available for parking within the sites, which will comply with Brentwood Borough Council's adopted parking standards for the proposed dwellings.

1 The development shall not commence until layout and construction details of the proposed parking area within each site have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until the parking areas have been provided in accordance with the approved details.

Reason: To ensure that appropriate parking is provided in accordance with Brentwood Borough Council's adopted parking standards and to avoid the displacement of loose material onto the highway in the interests of highway safety.

2. The development shall not commence until details showing the means to prevent the discharge of surface water from the proposed parking area, within each site, onto the highway have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been carried out in its entirety and thereafter shall be retained at all times.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

3. The development shall not be occupied until a kerbed footway as shown on Revised Drawing no.PL01 Rev.A has been provided adjacent to the carriageway of Outings Lane, and a grass verge has been provided between the footway and the site boundary, in accordance with the terms, conditions and specification of the Highway Authority, Essex County Council.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

4. Any tree planting proposed within the highway shall be agreed with the Highway Authority. Trees shall be sited clear of all underground services and visibility splays. All proposed tree planting shall be supported by a commuted sum, to be agreed with the Highway Authority, to cover the cost of future maintenance.

Reason: To avoid the interference with visibility splays and services within the highway in the interest of highway safety

5. No development shall take place, including any ground works or 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. wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in Outings Lane and the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 6. Prior to occupation of the proposed development, the Developer shall provide a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, with information covering local public transport travel and including six one day travel vouchers for use with the relevant local public transport operator, to each proposed dwelling.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- **Environmental Health & Enforcement Manager:**

Response awaited

- **Arboriculturalist:**

The root protection area (RPA) needs to be plotted and a method statement provided and agreed as to how works will be carried out in close proximity to the RPAs. This can be secured via condition. A shade assessment should also be required and a landscaping scheme be conditioned.

- **Planning Policy:**

The site was allocated in the Preferred Options (LDP) last summer (July 2013 consultation). the details of the application, such as density, design, access, etc, are subject to your assessment. From an emerging policy position we're mindful of the increased housing need in the Borough and need to maximise brownfield land wherever appropriate in terms of density.

We have recently published our latest Strategic Housing Market Assessment (SHMA) - although this is draft it sets out the need for affordable housing in the Borough which is considerable.

We'll need to consider the proposal in light of Borough wide needs for affordable units.

The proposal is for 5x 4-5 bed homes, where evidence suggests the need for more of a mix of homes, particularly smaller units (2-3 bedroom units). So the mix of units is as important as affordable housing provision.

- **Parish Council:**

The council is in favour of this development with the following conditions:

- (i) The pavement along Outings Lane past the old surgery site is realigned to eliminate the bay originally created for surgery car parking.
- (ii) Adequate car parking is provided within the development site to avoid the need for future residents, and their visitors, having to park on Outings Lane.
- (iii) Double yellow lines are added to the end of Outings Lane where it intersects with Blackmore Road at Deal Tree Corner to deter people from parking near the junction

- **Historic Buildings And Conservation Officer:**

Significance

In close proximity to Grade II listed Barfield Farmhouse and adjacent to the Green Belt.

Proposal

Demolition of former doctors surgery and adjacent dwelling known as The Landings and construction of 5 No. Detached dwellings.

Discussion

The application site is located in Doddinghurst, accessed from the main thoroughfare of Outings Lane. Immediately adjacent is a strip of Green Belt land which separates the site from the Grade II listed C17th Barfield Farmhouse, a former hunting lodge (English Heritage Building ID: 373611). The properties in close proximity to the site are predominantly modest and of a chalet style, with a few mid to late C20th forms which are distinctively in an architecture of their time, there is also a limited number of terraced dwellings on the Blackmore Road. The proposals within this application are twofold; firstly to demolish the doctors surgery and The Landings, and secondly to construct five new dwellings within the demise. I raise no objections to the principle of demolition for the elements within this application, however having reviewed the submitted information I do have concerns regarding the design, these are as follows;

The principal concern is in relation to the scale of the proposed dwellings and design language for the two primary Plots (Plot 1 and Plot 5). The proposed scheme intends to place these two substantial properties facing the main thoroughfare of Outings Lane. The placement of these can be acceptable in principle however the design of Plot 1 and Plot 5 I would regard as incongruous within the street scene, which comprises modest dwellings of local distinctiveness. The proposed Plot 1 appears to be derived from early C20th language, which may be acceptable in detail but in terms of scale I advise this is too great for the location. As with Plot 5 the scale and design must be studied further with due regard for the local distinctiveness and the adjacent listed building, a more informed and lesser

challenging design may provide the solution for the treatment of the principle frontage. The proposed remaining Plots (2, 3 and 4) are still substantial dwellings, although are designed with a more inherent understanding of the context.

In addition to the above comments I regard landscape proposals should be integrated within the scheme, I advise such information is dovetailed into the design approach with material and design intent towards detailing to give transparency at the application stage.

Recommendation

For the above reasons I am unable to support this application and consequently recommend refusal.

- **Housing Services Manager:**

In principle I would expect one affordable unit to be provided unless some alternative community/borough benefit was offered.

- **Anglian Water Services Ltd:**

Response awaited

- **Essex & Suffolk Water:**

Response awaited

- **Open Space Strategy Coordinator:**

Response awaited

6. Summary of Issues

The application site is located on the south-western side of Outings Lane. The site adjoins residential dwellings to the north-west and residential gardens to the south-west. There are residential dwellings opposite the site and to the south-east, the site adjoins Green Belt land with Barfield Farm located beyond a undeveloped strip of land, which is a Grade II Listed Building.

The site is allocated for residential purposes in the Local Plan and as such the main considerations in this case are the principle of the proposal, design, impact on the adjoining heritage asset, residential amenity, living conditions, parking and highway considerations and landscaping.

Principle of the Development

The site is allocated for residential purposes in the Local Plan and as such the principle of developing the site for residential purposes is acceptable, subject to other factors such as design, residential amenity and parking considerations.

The NPPF states at Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

In terms of Local Plan Housing Policies, Policy H6 states that in new housing development, the Council will seek a mix of units of suitable sites of 6 units or more or on suitable sites of 0.2 hectares or more, 50% of the total units should be 1 or 2 bedroom properties, except where it can be demonstrated that such a mix of units would be inconsistent with the character of the area. Whilst this proposal constitutes 5 dwellings, the site area exceeds 0.2ha, therefore this Policy is applicable. In this regard, the Design and Access Statement submitted indicates that the existing properties on Outings Lane are predominately detached family homes with large plots and that the proposed dwellings would therefore be in-keeping with the grain of the area. In this regard, it is evident that the existing dwellings on Outings Lane tend to be family sized detached dwellings on large plots. As such it is considered that the character of the area is such to warrant a departure from Policy H6 and no objection is therefore raised on this basis.

Policy H9 of the Local Plan states that on sites of 5 units and above or suitable sites of 0.16ha or more within the defined settlements outside of the Brentwood Urban Area, the Council will seek a proportion of 35 percent of the number of dwelling units to provide affordable housing. The Agent has referred to the development as a replacement dwelling and the construction of 4 new dwellings, however, the proposal constitutes a development of 5 new dwellings and in any case the site area exceeds 0.16ha. Therefore the requisite affordable housing is required, the Council's Housing Department supports this, commenting that one affordable unit would be expected. The Agent was advised of the affordable housing requirement at pre-application stage, however, has made no reference to affordable housing in the formal submission. The application is therefore contrary to Policy H9 of the Local Plan and Chapter 6 of the NPPF which encourages the delivery of a wide choice of high quality homes, seeks to widen opportunities for home ownership and aims to create sustainable, inclusive and mixed communities.

In this regard, it is noted that the reason for referral indicates that the village has adequate affordable housing with the Village Neighbourhood Plan Housing Needs Survey 2012/13 indicating that there is no additional requirement for affordable housing in Doddinghurst for the next 20 years. However, this document has not been adopted by the Council and appearance to just be a survey of local people which includes a question asking is affordable housing is needed in the area. The Planning Policy team have commented in this regard that the draft Strategic Housing Market Assessment (SHMA) indicates that there is a considerable need for affordable housing in the Borough and that this proposal will need to be considered in light of Borough wide needs for affordable units.

Local Plan Policy H14 states that residential densities will be expected to be no less than 30 dwellings per hectare, unless the character of the area determines that such densities would be inappropriate. This proposal seeks to develop at a density of some 15 dwellings per hectare which is contrary to Local Plan Policy H14 and the NPPF which encourages the effective use of land. However, given the existing density of the surrounding area, and the rural, village character of the area, the proposed density would not be out of keeping with the area and as such no objection is raised to the proposal on this basis.

Design and Impact on the Adjoining Heritage Asset

The Council's Design and Historic Buildings Consultant has commented that properties in close proximity to the site are predominantly of a chalet style. No objection is raised to the principle of demolishing the existing buildings on the site, however there are concerns about the design proposed. The main concern relates to the scale of the proposed dwelling and the design language of the two primary plots (plots 1 and 5). Whilst the placement of two dwellings on plots 1 and 5 can be acceptable in principle, the design is incongruous in the streetscene and out of keeping with the local distinctiveness of the area and the scale is too great for the location. The area must be studied further and regard had to local distinctiveness and the adjacent Listed Building; a more informed and less challenging design may provide the solution. The other plots (2,3 and 4) are still substantial dwellings, although are designed with a more inherent understanding of the context. The landscaping proposals should also be integrated within the scheme. As such the Design and Historic Buildings Consultant recommends that the application is refused.

Given that the scale and design proposed differs substantially from the character and local distinctiveness of the area it is considered that the proposed development would result in an incongruous development which would be detrimental to the character and appearance of the area. The design and scale proposed has little regard to the setting of the adjoining Listed Building and as such it is also considered that the proposal would substantially harm the setting of the adjoining Listed Building. The proposal is therefore contrary to Chapters 7 and 12 of the NPPF and Policies CP1 and C16 of the Local Plan.

Residential Amenity

In terms of dominance and overbearing, given the location of the proposed dwellings in relation to the existing dwellings it is not considered that the development would adversely impact the residential amenity of the adjoining existing residents in this regard. Similarly, given the separation spaces between the proposed dwellings on the development it is not considered that the new dwellings would materially dominate or overbear each other. No objection is therefore raised on this basis.

In terms of overlooking, it is considered that the ground floor windows could be adequately screened by boundary treatments, details of which can be secured by condition. In this regard a condition requiring existing and proposed levels will also be required. With regard to first floor windows proposed the majority of the windows will not result in any undue overlooking as they overlook the public realm or the undeveloped land adjacent to the south-east.

However, there are some windows which have the potential to result in overlooking:

Plot 1: the first floor rear windows serving bedrooms 2 and 4 are located between 7.2m and 12.4m from the boundary at Plot 2. However, there is an intervening detached garage and there are no windows in this elevation at Plot 2 facing Plot 1. As such it is not considered that this part of the proposal would result in a material level of overlooking.

Plot 4: the rear windows serving bedrooms 2, 4 and 3 are located some 12m from the boundary which adjoins an existing residential garden. However, given this isolation space and the fact that the windows do not directly overlook any habitable rooms or the adjoining dwelling it is not considered that this would result in significant or material levels of overlooking or loss of privacy.

Plot 4 has a secondary bedroom window to bedroom 3, a window to the stairs and an en-suite window located between 8m and 3m from the boundary with the adjoining existing dwellings in Blackmore Road. A neighbour has raised concerns about these windows specifically. However, given the purposes of these windows and the spaces they serve, these windows can be conditioned to be obscure glazed and non-opening to mitigate any overlooking from these windows.

Given the design of the dwellings and their locations within the plots, subject to conditions requiring some windows in the development to be obscure glazed it is not considered that the proposal would result in any significant or demonstrable harm in terms of overlooking or loss of privacy.

No objection is therefore raised on this basis in terms of Paragraph 17 of the NPPF or Policy CP1(ii) of the Local Plan.

Living Conditions

All of the 5 dwellings proposed would be provided with private amenity spaces (subject to adequate boundary treatments which would be secured by condition) which exceed the 100 sq. m minimum recommended. All habitable rooms will be provided with windows to provide light, ventilation and outlook. As such the proposal would provide adequate living conditions for any future occupiers. No objection is therefore raised on this basis.

Parking and Highway Considerations

The Highway Authority has raised no objection to the application following revised drawings having been received, subject to conditions, given the location, the previous use of the site and the area to be available for parking within the sites which will comply with the parking standards. Subject to such conditions, no objection is therefore raised on this basis.

Landscaping Considerations

The Tree Officer has commented that the Council requires the root protection area (RPA) to be plotted and a method statement to be submitted and agreed by the local planning authority prior to any works being undertaken to determine how the development will be undertaken in close proximity to trees on the site. A shade assessment should also be sought to ensure that the trees are not sought to be removed when the dwellings are occupied. A landscaping scheme will also be required. These details can be secured by conditions.

Other Matters

The majority of the neighbour comments have already been considered, including design, parking, highway concerns, residential amenity and landscaping and tree impacts. With regards to the concern raised about a footpath being omitted from the plans, this has now been shown on revised plans submitted by the Agent. With regard to comments that the site would be more suitable for 4 dwellings, the Local Planning Authority must consider the application as submitted. Loss of a view is not a material planning consideration. The residential use of the site will not cause unacceptable noise levels to adjoining residents. Noise during construction is not a reason to refuse a planning application, however, a condition requiring a construction method statement can be attached to any grant of consent to limit such impacts on adjoining residents. Concerns about the building works impacting the structural integrity of adjoining residents is also not a material planning consideration and is dealt with by the Party Wall Act.

With regard to comments received about other three storey developments being refused in the area, it should be noted that each planning application must be considered on its own merits. It has been suggested that there are protected species on the site. No ecology survey has been submitted, which ideally should have been submitted with the application, however, now concerns have been raised in this regard a condition can be imposed on any grant of consent requiring an ecology survey before any works commence. Concerns have been raised that the cul-de-sac will not be adopted, however, the Highway Authority has raised no objection with regard to the proposal.

Conclusion

The proposed development would have benefits; it would provide 5 new dwellings in the Borough and building works would boost the building trade, however, it is not considered that the benefits of the proposal would outweigh the significant harm identified as a result of the poor design of the scheme which fails to take account of the local distinctiveness and which would harm the setting of the adjoining Listed Building and by virtue of the lack of any provision of affordable housing on the site. The proposal is therefore recommended for refusal on this basis.

7. **Recommendation**

The Application be REFUSED for the following reasons:-

R1 U08182

The proposed development does not seek to provide any affordable housing contributions to the detriment of local housing opportunities and social inclusion, contrary to Policy H9 of the Brentwood Replacement Local Plan 2005 and Chapter 6 of the National Planning Policy Framework (NPPF) which encourages the delivery of a wide choice of high quality homes, seeks to widen opportunities for home ownership and aims to create sustainable, inclusive and mixed communities.

R2 U08183

The design of the dwellings, particularly the two dwellings at the front of the site (plots 1 and 5) are of a poor design which by virtue of their scale and design language would result in an incongruous form of development which fails to take into account the local distinctiveness of the area and which would harm the setting of the adjoining Listed Building contrary to Chapters 7 and 12 of the National Planning Policy Framework (NPPF) and Policies CP1 and C16 of the Brentwood Replacement Local Plan 2005.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: H6, H9, H14, H 17, CP1, C16, T2 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF25

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 meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

BACKGROUND DOCUMENTS

DECIDED: