

SITE PLAN ATTACHED

**08. LAND TO THE FRONT OF 50 TO 72 HUTTON DRIVE HUTTON ESSEX
CONSTRUCTION OF 14 PARKING BAYS.**

APPLICATION NO: 14/00873/BBC

WARD	Hutton Central	8/13 WEEK DATE	10.09.2014
PARISH		POLICIES	NPPG CP1 T2 T5 NPPF NPPF
CASE OFFICER	Yee Cheung	01277 312620	
Drawing no(s) relevant to this decision:	T/AJT/4004; T/AJT/3982;		

1. Proposals

Planning permission is sought for the construction of 14 car parking spaces on the amenity land to the front of Nos. 50 and 72 Hutton Drive. The site area measures approximately 223.3 square metres. Each space measures approximately 5.5 metres deep x 2.9 metres wide. The car parking area will be surfaced with asphalt and will be individually marked with white lines. The proposal seeks to alleviate the difficulty of on-street parking in the area.

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 Government attaches great importance to design of the built environment. The core planning principles as contained in Paragraph 17 of the Framework advises that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Chapter 7 goes on to state that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

In addition to the above, on 6 March 2014, the government published Planning Policy Guidance (NPPG) which, along with the NPPF, is a material consideration in the determination of planning applications.

Brentwood Replacement Local Plan

CP1 (General Development Criteria) requires development to satisfy a range of criteria covering the following considerations: Character and appearance of the area; Residential amenities; Access; Highway safety; Environmental protection; and the Natural and Historic Environment

T2 (New Development and Highway Considerations) states that planning permission will not be granted for proposals where it will have an unacceptable detrimental impact on the transport system; and it fails to comply with adopted policies and highway requirements.

3. Relevant History

- : - None

4. Neighbour Responses

20 neighbour notification letters were sent out a site notice was displayed at the site. 4 letters of representation have been received concerning the following:-

- Parking spaces will make getting on and off my drive (No, 50) difficult and dangerous
- The parking area is near a bend and the bottom of a slope and is difficult to see on-coming vehicles
- Parking on the amenity land will cause noise, disturbance and pollution
- There are lots of parking spaces on Hutton Drive and there has never been an issue of parking. There is no need for this car park
- This part of the road will become an accident hotspot again with the removal of the double yellow lines
- The removal of the two trees will have an impact on the street scene and the local environment
- Hutton Drive is within walking distance of Shenfield Station. It is likely that these spaces will attract commuters to the area causing additional parking problems for the local residents

- The proposal would be dangerous to all highway users (vehicles and pedestrians)

5. Consultation Responses

- **Arboriculturalist:**

No tree information submitted.

- **Highway Authority:**

The Highway Authority would not wish to raise an objection to the above application, subject to the following condition being attached to any approval;

Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and 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.

Note: Whilst Drawing No. T/AJT/3982 proposes two soakaways to the east and west of the large parking area, it will not be clear what drainage solutions will be suitable until ground conditions are uncovered and soakage tests undertaken. Details will need to be examined by the Development Management Team at the Service Management Office. (If during the period of maintenance any soakaway is found to have inadequate capacity or soakaway rate then the developer will have to provide an alternative system of drainage at their own expense.)

6. Summary of Issues

Introduction

This planning application is presented to the Members of the Planning and Development Control Committee as the application is on Council owned land.

Principle of Development

The application site is an open amenity space, however it is not protected by Policy LT2 of the adopted local plan where it states that permission will not be given for development of protected urban open space. In this instance, the principle of development on this site would be permissible subject to planning policies.

Background

The applicant states that in support of the proposal, local residents have been in contact with local Councillors and Officers regarding the difficulty of on-street parking in the area. A survey was carried out in June 2014 by the Strategic Asset Management Department to obtain views from local residents if they would support

the proposal of 14 car parking spaces to be made available by reducing the size of the existing amenity land prior to submitting a formal planning application at Hutton Drive.

The Asset & Technical Manager has confirmed in an email correspondence dated 11 August 2014 that 58 consultation letters were sent out and 28 (48%) were returned. Of those returned, 23 (82%) were in favour of the proposal. For residents who did not respond to the survey, it was assumed by the department that no objections were raised regarding the proposal.

Site

The application site relates to a piece of open amenity land owned by the Council. 12 residential properties (Even Nos. 50 and 72) all front onto this amenity land. The site is laid to grass with a two trees which are both set back by about 4 metres from the highway. Wooden posts of approximately 600mm in height are positioned to the southern boundary of the site and are spaced out at equal intervals. Double yellow lines run parallel to the southern boundary of the application site.

Main Issues

The main issues to consider when determining this planning application are Residential Amenity; and Highway Issues.

Residential Amenity

The site area of the existing amenity land is approximately 700 square metres. It is proposed that two trees and an area of 223.3 square metres of grass would be removed for the construction of 14 car parking spaces which will take up 32% of the amenity land. It is considered that the loss of the two trees and the amenity land by a third would cause material harm to the character and appearance of the area, contrary to Policy CP1 (i) of the adopted local plan and the core planning principles of the NPPF where it states that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

It is noted that the closest parking space to No. 50 would be approximately 8 metres away. The same distance also applies to No. 72. It is considered that this distance is considered sufficient not to cause harm to the occupiers of the residential properties by reason of noise and disturbance. Traffic passes through Hutton Drive on a daily basis. As the area of land will be used for the parking of vehicles, there is unlikely to be any material change in the level of air pollution caused by the scheme.

Visual Amenity

The existing site provides a pleasant verdant area that helps to soften the surrounding dense built form and provide a small area of amenity close to neighbours properties. The parking area would reduce the size of the amenity land by around a third and replace it with hardstanding and wooden bollards that will invariably be in constant use. This reduction in the area of amenity space and replacement with

parked vehicles would have a detrimental impact on visual amenity and be detrimental to the character and appearance of the immediate area.

Concerns have been raised with regard to the loss of two trees, however the Asset and Technical Manager has confirmed that these two trees will be replaced with similar saplings in suitable location on the remainder of the amenity land.

Overall, it is considered that the benefits of the scheme do not outweigh the harm the development would cause to the visual amenity and character and appearance of the area. The proposal therefore conflicts with Local Plan CP1 (i) and the National Planning Policy Framework, chapters 4 (Promoting sustainable Transport) or 8 (Promoting healthy communities).

Highway Issues

The parking spaces proposed are positioned perpendicular to Hutton Drive and are set back from the highway. Each parking space would measure approximately 5.5 metres x 2.9 metres and meet the requirement as contained in the ECC Parking Standards (2009). The double yellow lines would remain and would not cause on-road parking or obstruction.

It is noted that concerns have been raised by local residents regarding the site's dangerous location on a hill with poor visibility and that double yellows were introduced on this side of the road to prevent on-road parking and obstruction to all road users.

In terms of vehicles accessing the spaces and reversing onto the highway, a visibility splay of 43 metres in residential street would be required. The sight splay in this location meets this requirement and therefore the Highway Authority has raised no objection to the proposal.

The Highway Officer has visited the site before submitting their consultation response and the main issue raised from the visit was drainage. The Highway Officer has also checked the accident records and it does not show any reported incidents in this location.

The reversing of vehicles onto Hutton Drive off private residential drives is a common feature along this part of the road. It is therefore considered unreasonable to recommend refusal on the basis that vehicles access and reverse onto the highway in this location, particularly if the Highway Authority has raised no objection to the proposal.

The Highway Authority requires detail showing the means to prevent the discharge of surface water from the development onto the highway should the application be approved. This can be dealt with by imposing a planning condition for this detail to be submitted to prior to the commencement of work should the application be approved.

Having taken into account the above, the proposal would be in accordance with Policy T2 and T5 of the adopted local plan.

Other Considerations

The Highway Authority has noted that on Drawing No. T/AJT/3982 proposes two soakaways to the east and west of the large parking area. It is not clear what drainage solutions will be suitable until ground conditions are uncovered and soakage tests undertaken. Details will need to be examined by the Development Management Team at the Service Management Office. It has been advised that if during the period of maintenance any soakaway is found to have inadequate capacity or soakaway rate then the developer will have to provide an alternative system of drainage at their own expense.

The Asset & Technical Manager has advised that the car spaces will be available to all residents on the same way as the two schemes recently provided at Coram Green (planning applications 11/00605/FUL and 12/00979/FUL). There is no evidence to suggest that daily commuters will be using these car parking spaces as such, no permit has been issued to the local residents at present.

Conclusion

It is acknowledged that the proposal would provide some off-street parking in an area that suffers from a high level of on-street parking, but there is no evidence to suggest that this has led to any highway safety issues or even that it would make a significant difference to on-street parking, or that cars would not be displaced from other areas into the wider road network. The development would also conflict with guidance from government to promote sustainable transport options. It is considered that the proposal for the 14 car parking spaces on this site would be harmful to the character and appearance and the visual amenity of the area, contrary to Policy CP1 of the adopted local plan and the NPPF.

7. Recommendation

The Application be REFUSED for the following reasons:-

R1 U08836

The proposal to remove two trees and hard surface the open amenity land to provide 14 off-street car parking spaces would cause significant and material harm to the character and appearance and the visual amenity of the area. Furthermore, it would conflict with the National Planning Policy Framework and Local Planning Policy which seeks to promote sustainable public transport choices. No evidence has been submitted to demonstrate that the additional parking is needed or that it would make any significant difference to the level of on-street parking already occurring in the surrounding road network, or that the additional parking would result in significant preventative highway safety. There are no other considerations that would outweigh

the identified harm and the proposal therefore conflicts with the NPPF and Local Plan Policy CP1.

Informative(s)

1 INF05

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

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF24

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal – which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

BACKGROUND DOCUMENTS

DECIDED: