

**SITE PLAN ATTACHED**

**06. LAND TO THE FRONT OF 50 TO 72 HUTTON DRIVE HUTTON ESSEX  
CONSTRUCTION OF 8 PARKING BAYS.**

**APPLICATION NO: 14/00873/BBC**

<b>WARD</b>	Hutton Central	<b>8/13 WEEK DATE</b>	10.09.2014
<b>PARISH</b>		<b>POLICIES</b>	NPPG CP1 T2 T5 NPPF NPPG
<b>CASE OFFICER</b>	Caroline McCaffrey	01277 312603	
<b>Drawing no(s) relevant to this decision:</b>	T/AJT/4022 ; T/AJT/4004 ;		

**1. Proposals**

Update

Revised plans have been received reducing the number of parking spaces from 14 to 8. Neighbours have been reconsulted along with the Highway Authority.

Planning permission is sought for the construction of 8 car parking spaces on the amenity land to the front of Nos. 50 and 72 Hutton Drive. 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.

**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**

4 representations have been received since the revised plans have been received which are broadly concerned with two issues, namely the road safety aspect and visual amenity:

Installing parking on this side of the road would make it hazardous as the sight line would be obscured

The bays are on the brow of a hill and a bend; the plans fail to show the position of a bus stop on the opposite side of the road;

Drivers and cyclists approaching from Copeman Road will not be able to see other vehicles pulling into and out of the bays; parked vehicles will not be able to see what is approaching up the hill

There is ample on-street parking available in the vicinity; the proposal will have a detrimental impact on the visual amenity and cause significant and material harm to the character and appearance of the immediate area.

As the Council is not considering introducing resident only parking permits the proximity of the proposed parking bays to the bust stop and railway station will attract commuters causing additional parking problems for residents.

The revised application is still too costly and money put to better use; if a parking facility is a necessity, a lay-by should be the first consideration and the footpath relocated onto the green to retain the least loss of the green and retain some visual amenity.

Consultation on the original plans elicited 4 letters of representation:

- 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**

### 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 the effect on the character and appearance of the area, residential amenity and highway safety.

Effect on the character and appearance of the area:

The site forms part of a public green space which provides a pleasant and welcome injection of soft boundary treatment along the highway and to the front of a number of terraced properties. It covers approximately 700 square metres.

The revised plans indicate an area of approximately 138 square metres of hardstanding to be given over to the car parking spaces (down from 223sqm compared to the original plan) which equates to around 20 % of the green area (down from 32%). It is proposed to retain the two trees on the green space.

The car parking spaces would be hardsurfaced with the insertion of 16 x 600mm high timber posts to delineate the edge of the spaces within the green.

The Council recognises the importance that public, green spaces play in the part of local communities both as a buffer between built form and as a form of recreation area.

In this instance, a limited area would be given over to the hardstanding and since the majority of the green space would be retained, along with the existing trees, it is considered that there would be no material harm to the character and appearance of the area.

#### Residential amenity:

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. The properties nearest to the parking spaces would be, at closest, around 8 metres away. The noise from slamming of doors or starting of engines at unsocial or un-neighbourly times may be heard by some of these residents but given the existing situation in the surrounding road network, it is not considered that there would be any material harm from additional noise or disturbance.

#### 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.

Concerns have been raised by local residents regarding the site's location on a hill and stating that it is a hazardous position 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.

The Highway Authority have previously responded as follows:

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 where control of how vehicles access the road in a forward gear cannot be controlled.

Although the Highway Authority have not objected to any aspects of the proposal on highway safety grounds, they require details 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.

The Highway Authority confirm that their comments remain the same in relation to highway safety but they still require details of surface water drainage.

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 the development proposes two soakaways to the east and west of the 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 with no restrictions to non-residents.

#### Conclusion

The proposal will provide some additional off-street parking while retaining most of the green area providing a pleasant open space. Given its limited impact on the character and appearance of the area; that there would be no material harm to the

living conditions of nearby neighbours and on the basis that the Highway Authority raise no objections on the grounds of highway safety, the development is considered to comply with the aims and objectives of the National Planning Policy Framework and local plan policies CP1 and T2, subject to conditions.

## **7. 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 DRA02A Development in accordance with drawings**

Unless formally permitted by the local planning authority 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 LAN04 Landscaping - Small Developments**

No development shall take place until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be carried out as approved. Any newly planted tree, shrub or hedgerow, or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason: In order to safeguard and enhance the character and appearance of the area.

### **4 U08967**

No development shall take place until details showing the means to prevent the discharge of surface water from the development onto the highway has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The approved scheme shall be carried out in its entirety prior to the car parking spaces becoming operations and shall be retained in the agreed format at all times.

Reason: To prevent hazards caused by water flowing onto the highway, in the interests of highway safety.

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 INF22

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.

3 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.

*BACKGROUND DOCUMENTS*

**DECIDED:**