

SITE PLAN ATTACHED

06. 6 OXFORD COURT WARLEY ESSEX CM14 5EU

**TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT EXTENSION,
SINGLE STOREY REAR EXTENSION LINKING WITH DETACHED
OUTBUILDING TO INCLUDE ROOF LIGHTS.**

APPLICATION NO: 15/00109/FUL

WARD	Warley	8/13 WEEK DATE	18.03.2015
PARISH		POLICIES	PC4 NPPF NPPG CP1
CASE OFFICER	Ms Sukhi Dhadwar		01277 312604
Drawing no(s) relevant to this decision:	01 ; 02 ; 03 ; 04 ; PL01 ; PL02 ; PL03 ; PL04 B; PL05 ;		

This application was referred by Cllr Hubbard from Weekly Report No 1686 for consideration by the Committee. The reason(s) are as follows:

I would like to refer this planning application from the Weekly List for the following reasons: This application is another in a long history of similar applications which would result in the property being overly dominant in Oxford Court itself and also an over-bearing feature for the residents of Willowdene Court, which backs onto it.

Update since publication of Weekly List 1686

None

1. Proposals

Permission is sought for a two storey side extension, single storey front extension and a single storey rear extension linking a detached outbuilding.

The two storey side extension measures 4.5m wide by 3.85m deep and 5.8m high to the ridge of its gable roof.

The single storey front extension measures 1.9m deep by 8.45m wide and 3.6m high to the ridge of its monoslope roof.

The single storey rear extension is in two parts the first extends from the existing living room and provides a music room. It measures 4.05m deep by 7.6m wide and 3.9m high to the ridge of its gable roof.

The second section connects this room to the existing outbuilding and provides a store and lobby area. It measures 2m wide by 3.2m and 3.7m to the ridge of its gable roof.

Materials to match those on the application building.

2. Policy Context

The National Planning Policy Framework (NPPF) (2012)

Of particular relevance to this application are the following policies:

Paragraph 14 of the NPPF sets out that there is a presumption in favour of sustainable development ; in decision making, this means approving proposals that accord with the development plan without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefit or; specific policies within the Framework indicate that development should be restricted.

Chapter 7: (Requiring Good Design) makes clear that good design is a key aspect of sustainable development. Design policies should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area. Permission should be refused for development of poor design.

Chapter 11: (Conserving and enhancing the natural environment) requires that the planning system should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to or being put at unacceptable risk from being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

The National Planning Practice Guidance (NPPG) provides additional guidance which supports the National Planning Policy Framework and provides users of the planning system with a specific body of advice and reference. All decisions upon planning applications must now have regard to NPPG as a material consideration.

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.

PC4: (Noise) Noise generating development will not be permitted if it would have a significant unacceptable detrimental impact on noise levels experienced by the occupiers of existing residential or other noise sensitive development. In assessing the acceptability or otherwise of any proposals, regard will be had to the standards set out in the National Planning Policy Framework and the National Planning Policy Guidance on Noise which replaces PPG 24.

3. Relevant History

- 00/00870/FUL: Single Storey Front Extension. -Application Permitted
- 03/00349/FUL: Two Storey Extension To Front And Side, Single Storey Extensions To Front, Side And Rear. -Application Refused
- 13/00723/FUL: Two storey side extension. Single storey infill extension to connect outbuilding to main house. First floor extension over garage and two storey rear extension -Application Withdrawn
- 13/01287/FUL: Two storey side and two storey rear extensions, single storey front extension to connect outbuilding to main house. -Application Withdrawn

4. Neighbour Responses

Letters were sent to occupants of adjoining and nearby properties. At the time of the writing of this report 6 responses had been received.

Issues raised include:-

Scale and massing of extensions is out of proportion with the existing house, and would be out of character with the plot and surrounding development
The two storey element would be over bearing and very dominant
Overlooking into neighbouring properties and gardens leading to loss of privacy
Loss of outlook - onto a brick built single storey element
Loss of light to windows at 4 Oxford Court
Noise from music room could cause a disturbance

5. Consultation Responses

- :None

6. Summary of Issues

Background

This application follows a revision to a previous scheme (reference 13/01287/FUL) submitted to the Council but withdrawn by the applicant prior to formal determination. The previous scheme included a two storey extension near to the common boundary with the rear gardens of 21 and 23 Willowdene Court . The main revision has been to reduce that element to a single storey link building.

The issues relevant to the determination of this application are:

The effect of the proposal on the character and appearance of the application house and surrounding area.

The effect of the proposal will have on the living conditions of neighbouring residential properties.

Character and appearance

The application site comprises a modern detached house on the western side of Oxford Court. This road is a cul-de-sac which is defined by detached properties within verdant and spacious plots, but with significant changes in ground levels across the land.

The extensions are of a design, and propose materials, in keeping with the main house and surrounding development. The single storey element on the west elevation would have a pitched roof with the gable end facing the boundary. It would link an outbuilding with the main house to form a 'u' shaped footprint. The two storey element would be at a lower level than the main roof of the house and have a gable end. These extensions would be to the rear and side and would not be prominent in the street scene.

The single storey element along the front elevation would have a mono pitch roof, relocating the new front door and inserting windows. Although the combination of extensions would result in a significant increase in the footprint they are for the most part at single storey and it is considered that the resulting building would still sit comfortably within its plot.

This would meet the criteria of Local Planning Policy CP1 in that there would be no harm to the character and appearance of the area and the extensions would be in keeping with the main house.

Effect on the living conditions of neighbouring properties.

The single storey extension linking the outbuilding to the house would be sited between 1.6m and 2m away from the common boundary with the properties of 21 and 23 Willowdene Court. The rear windows in these properties are measured on plan at a distance of over 11m away from this boundary.

Although these properties are at a lower level than the application site, the extension would be only marginally higher than the existing outbuilding and only at the apex of the roof. No new windows are proposed along the facing flank elevation. Soft landscaping along this boundary would mitigate the outlook from the neighbours property towards this boundary. It is considered that this element would not result in an overbearing effect resulting in significant or demonstrable harm to the living conditions of these neighbours. There would be no material loss of light to these neighbours gardens. An objection has been raised on the use of the extension as a music room. Appropriate construction and insulation would mitigate any noise levels over and above that which could be expected from a dwelling house.

The two storey element would be around 20m from the rear of the properties at Willowdene Court and at a much lower level than the main house. An existing window on the side flank of the original house is closer than what is proposed here. Nevertheless the proposed new element would be too far away to result in any material harm to the amenities of those neighbours in Willowdene Court by reason of overbearing effect, loss of outlook or loss of privacy.

The other closest occupiers are at No. 4 Oxford Court. The extension would not project beyond the length of the neighbours garage and would be at a sufficient distance away from this property so as not to result in a loss of privacy, outlook or overbearing effect.

Subject to conditions requiring boundary treatment on the west elevation, and construction method details, the proposal meets the criteria set out in the National Planning Policy Framework and Local Plan Policy CP1 (ii)

Parking

There is adequate space for on site car parking to meet the Brentwood Council adopted parking standards.

In conclusion the proposal meets the criteria required to be deemed sustainable development and therefore accords with the NPPF and Brentwood Replacement Local Plan 2005.

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 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 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.

4 U09864

A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any works to the music room commencing on site. The sound insulation and noise control measures shall meet standards contained within BS 8233:2014.

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

Reason: In the interests of neighbouring amenity in accordance with the NPPF and policies PC 4 and CP 1 sub criteria (ii) and (vii) of the Brentwood Replacement Local Plan.

5 U10130

The development shall not be commenced until details of the treatment of the boundary along the west elevation have been submitted to and approved in writing by the local planning authority. The boundary treatment should include mature hedging to a height of not less than 2 m and for not less than a length of 14 metres as indicated on drawing no. PL01. The approved boundary scheme shall be completed during the first planting season after the date on which any part of the development is commenced, or in accordance with a programme to be agreed in writing by the local planning authority. 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 the interests of safeguarding the character and appearance of the area and the living conditions of adjacent occupiers.

Informative(s)

1 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.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, PC4 the National Planning Policy Framework 2012 and NPPG 2014.

3 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: