

SITE PLAN ATTACHED

8. 6 BOWHAY HUTTON ESSEX CM13 2JX

DEMOLISH GARAGE AND CONSTRUCT TWO STOREY SIDE AND FRONT EXTENSIONS AND A PART SINGLE STOREY, PART TWO STOREY REAR EXTENSION. GLASS CANOPY TO FRONT AND FENESTRATION ALTERATIONS.

APPLICATION NO: 15/00712/FUL

WARD	Hutton South	8/13 WEEK DATE	15.07.2015
PARISH		POLICIES	NPPF NPPG CP1 H15 T2
CASE OFFICER	Mrs Charlotte White	01277 312536	
Drawing no(s) relevant to this decision:	DESIGN AND ACCESS STATEMENT /A; L01; L02; S01; S02;		

This application was referred by Cllr Hirst for consideration by the Committee. The reason(s) are as follows:

This application was referred by Cllr Hirst for the following reasons: out of character, detrimental to the street scene and loss of amenity Policies H15, CP1(i) and CP1(iii).

1. Proposals

Planning permission is sought to demolish the existing garage and to construct a two storey side extension. It is also proposed to construct two storey front extensions and a part single storey, part two storey rear extension. The first floor will be rendered and zinc will be used on the single storey rear extensions. It is also proposed to re-tile the roof with slate tiles.

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.

Local Plan Policies

CP1 - General Development Criteria

H15 - Hutton Mount

T2 - New Development and Highway Considerations

3. Relevant History

- None

4. Neighbour Responses

8 neighbour letters were sent out. 8 letters have been received which raise the following summarised concerns:

- Concern regarding the building line being brought forward.
- Cars parked on the drive will look direct into the living room.
- Overlooking and loss of privacy from en-suite side windows.
- Obscure glazing en-suite windows is not sufficient.
- Concern about builders and construction vehicles parking and blocking accesses, damaging lawns and kerbs and causing disruption and congestion in narrow road.
- Needs a restriction that all deliveries and storage of materials and skips and vehicles should be restricted to the site and not on the road.
- Overpowering to No.5.
- Concerned about the lack of neighbour consultation.
- Out of keeping with character of majority of existing properties and two adjoining properties. Including concerns regarding render, metal window frames, glass canopy and roof tiling. Will upset the aesthetics of Bowhay.
- Over development of the site.
- Roof line appears to be elevated compared to neighbouring properties.
- Alter the view from other properties.
- Is not extensions but total redevelopment of the site.
- Little space between dwelling and houses either side.
- Lack of access to emergency vehicles.

A letter has also been received from the Chairman of the Hutton Mount Residents Association which comments:

- Considerable disquiet about this development.
- The Hutton Mount Association would like to see this development taken back the 1.5m which appears to be over the building line which would also reduce the appearance of over development and bulk.
- It is important that the side window facing No.7 is obscure glazed and closed shut.

An additional letter has been received which does not object to the principle of the development but requests that the boundary hedge and trees are retained to retain the mutual privacy.

5. Consultation Responses

- **Highway Authority:**

Bowhay is a private road therefore, From a highway and transportation perspective the Highway Authority has no comments to make on this proposal.

6. Summary of Issues

The application site is located on the western side of Bowhay and is occupied by a detached house with a detached garage. The site is located towards the end of a cul-de-sac on the Hutton Mount estate. The area is characterised by fairly large detached houses of similar characters, but different designs. The site is located within the Hutton Mount area and as such the main considerations in the determination of this proposal are design and character and appearance of the area, residential amenity, living conditions, parking and highway considerations and landscaping considerations:

Design and character of the area

The extensions and alterations have been designed to reflect the character of the existing street scene, with the dwelling having a more contemporary design to the rear. The more modern design and materials at the rear of the site would not be highly visible within the public realm and would not therefore adversely impact the character or appearance of the area. This extension will have a 1.2m isolation space between the flank walls and the boundaries of the site, in accordance with Policy H15 of the Local Plan.

Within the street scene it is evident that other dwellings benefit from similar extensions to that which is proposed here. Side extensions, dormers and front gables are all common features in the street scene. As such, the proposed front and side additions would not appear unusual in the street scene.

The NPPF states that local planning authorities should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. In terms of siting, local residents have raised concerns regarding the front building line of the property being brought forward. However, within the street scene there are other examples of front projections, with canopy and garage projections, two-storey gable projections and single storey front projections. The building line is curved in this area due to the cul-de-sac design of the street. It is not considered that the building line is particularly rigid or a defining characteristic of this section of the road. The proposed front projection would not therefore be harmful to the character or appearance of the street scene.

The siting of the extensions is therefore considered acceptable.

Given the size of the plot, the character of the area and the size of the nearby and adjoining dwellings, the size and scale of the proposal is considered acceptable. It is not considered that the extensions would be visually disproportionate to the existing house.

Although the side extension has not been designed to be subservient to the original dwelling, given other substantial additions to houses in the area, the design is considered acceptable in this instance.

The materials proposed are also considered acceptable given the mixture of materials evident in the street scene. The more contemporary materials and finishes are located to the rear elevation and would not therefore be particularly visible within the public realm.

Render to the first floor with a brick finish to the ground floor is acceptable on the front elevation. The alterations of the roof finish and the aluminium windows would not materially harm the character and appearance of the area.

As such the overall design of the proposal is considered acceptable and the proposal would not adversely impact the character or appearance of the area. No objection is therefore raised in terms of Chapter 7 of the NPPF or Policies CP1(i), CP1(iii) or H15 of the Local Plan.

Residential amenity

In terms of overlooking, the front windows would be some 17m from the front boundary of the site and would overlook the drive and front garden of the dwelling. The site tapers in towards the front and as such the front windows have the potential to overlook the frontages of the adjoining residents, however, these are spaces that are already open to public gaze and as such this proposal would not result in any significant or demonstrable overlooking as a result of this proposal.

The rear windows proposed would be located in excess of 20m from the rear boundary of the site which is an acceptable relationship and would not result in any undue overlooking. Comments have been received requesting that the rear boundary trees and vegetations are retained. The plans submitted indicate that the existing trees and vegetation are to be retained. It would not be reasonable to impose a condition requiring this vegetation to be retained for privacy purposes given the isolation space retained. No objection is therefore raised on this basis.

To the flank elevations, at ground floor level two doors are proposed which could be substantially screened by boundary treatments and as such would not result in any undue overlooking or loss of privacy. To the first floor flank elevations, there will be a total of 3 en-suite bathroom windows.

There have been some neighbour objections to these windows, commenting that obscure glazing is not sufficient to mitigate any overlooking or loss of privacy. However, it is considered that any issues of overlooking or loss of privacy could be overcome with a conditions requiring these windows to be obscure glazed to at least level 3 of the Pilkington Scale and by restricting the openings of these windows, with the windows to be fixed shut to at least 1.7m above the finished floor level of the room. Subject to such a condition no objection is raised to these flank windows proposed.

A neighbour has raised concerns that as a result of this development the occupiers of the application dwelling will be able to look into the adjoining neighbours living room when in parked vehicles. However, it is not considered that the location of the drive in relation to neighbours would cause any undue overlooking or loss of privacy.

Roof lights are proposed in the flat roof of the single storey rear extension, however, they would be located above head height and would not provide any views of adjoining neighbours. The roof lights are therefore considered acceptable in this regard.

Subject to a condition requiring the first floor flank windows to be obscure glazed with limited openings, no objection is therefore raised to the proposal in terms of overlooking and loss of privacy as the proposal will not result in any significant or demonstrable harm in this regard.

In terms of dominance and an overbearing impact, the application site splays out to the rear of the site and given the location of the site towards the end of the cul-de-sac the application dwelling and its adjoining, immediately neighbouring dwellings have slightly different orientations. As such, whilst the proposed extension would extend some 4m beyond the rear wall of No.5, the extension would be located a minimum of some 3.9m from No.5. Given this degree of isolation, the splay of the site and the different orientation of the dwellings, it is not considered that the

proposed extensions and alterations would result in any undue overlooking, loss of privacy or loss of light or outlook to No.5 Bowhay.

No.7 is similarly isolated from the application dwelling with the dwellings splaying away from each other to the rear of the site. The front extension closest to No.7 would extend approximately 1m beyond the front of No.7 which is not considered excessive, especially considering that No.7 is located approximately 2.5m from the flank wall of the front extension proposed. The proposed rear extension would extend some 3.2m beyond the rear wall of No.7, however, an isolation space of a minimum of some 5.5m is provided between the flank wall of this part of the proposal and No.7. As such it is not considered that the proposal would result in any undue dominance, overbearing impact or loss of light and outlook to No.7.

All other properties are considered too remote to be adversely affected in this regard. No objection is therefore raised in terms of bullet point 4 of paragraph 17 of the NPPF and Policy CP1(ii) of the Local Plan.

Living conditions

A large garden area is to be retained, an area of parking retained at the front of the site and all habitable rooms are provided with windows to provide light, outlook and ventilation. The proposal would therefore provide adequate living conditions for any future occupiers of the site and no objection is therefore raised on this basis.

Parking and highway considerations

The Highway Authority has no comments on this application. It is evident that the garage proposed would not be of a sufficient length to be considered a parking space, in accordance with the adopted parking standards. However, it is considered that there would be adequate parking on the front of the site to satisfy the parking standards. No objection is therefore raised in this regard.

It is noted that a number of neighbours have raised concerns regarding parking on the road, as such a condition can be imposed on any grant of consent requiring a construction method statement to be submitted prior to any development starting on the site. Subject to such a condition no objection is raised on this basis.

Landscaping considerations

Given the nature of the proposal it is not considered necessary to require the applicant to provide any landscaping details. No conditions in this respect are therefore necessary in this instance.

Other matters

The neighbour concerns have been considered fully, including the design and siting of the extensions, residential amenity considerations and construction concerns, however, the proposal adheres to National and Local Policy and subject to a condition requiring the first floor flank windows to be obscure glazed with limited openings no objection is raised to the proposal. The correct neighbour consultation was undertaken. The proposal does not seek to increase the ridge height of the dwelling. Right to a view is not a material planning consideration and the description of the proposal as extensions rather than a replacement dwelling is correct. Access to emergency services is dealt with by Building Regulations.

Conclusion

The proposal complies with National and Local Planning policy and is therefore recommended for approval, 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 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 U10578

The brickwork 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 U10579

The first floor side windows 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 CON1 Construction Method Statement

No development shall take place, including any works of 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. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity.

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, H15, T2 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: