

SITE PLAN ATTACHED

07. GARAGES WAINWRIGHT AVENUE HUTTON ESSEX

DEMOLITION OF EXISTING GARAGES/LOCK UPS AND CONSTRUCTION OF 4 X 1 BED BUNGALOWS FOR OVER 65'S.

APPLICATION NO: 15/01376/FUL

WARD	Hutton Central	8/13 WEEK DATE	04.12.2015
PARISH		POLICIES	CP1 T2 NPPF NPPG H14

CASE OFFICER Kathryn Mathews

Drawing no(s) relevant to this decision: P101 P1; P108 P1; DESIGN & ACCESS STATEMENT ; P102 P1; P103 P1; P109 P1; P110 ;

1. Proposals

Demolition of existing garages/lock-ups (52 in number).

Construction of 4no. 1 bedroom social rented bungalows for the over 65's in two pairs of semi-detached buildings: each pair of dwellings would measure a maximum of 15m in width x 11m in depth and 6m in height, pitched roofs.

The materials proposed for the external surfaces of the dwellings are red brick for the walls and plain concrete tiles (slate grey colour) for the roofs.

The site is stated as measuring 0.18ha. The four dwellings would be located roughly centrally within the site. The height of the buildings proposed would be stepped to follow the ground levels within the site which reduce in a south to north direction by 2.76m.

It is proposed to retain the rear walls of the existing garage blocks which form the rear garden boundary of neighbouring gardens to the west of the site. New means of enclosure within the rest of the site would consist of timber fencing 1.2m-2m in height. The access road, driveway and parking areas would be surfaced using a grass cell system.

A total of 10 parking spaces would be provided within the site including 4 disability spaces, as well as 8 cycle parking spaces.

The application is accompanied by a Design and Access Statement which provides the following additional information:-

- all the garages are currently empty and unoccupied
- the garages are of post-war construction with asbestos roofs - these factors deem the garages non-compliant and not fit for purpose
- the site has been subject to anti-social behaviour
- all garage users were offered alternative garaging in the local area
- Brentwood Borough Council intend to build, manage and retain ownership of the houses proposed and it is hoped to commence construction during the financial year 2016/17
- sustainability matters are being considered such as grey water harvesting and solar panels

This application falls to be determined by the Planning and Licensing Committee as the applicant and landowner is Brentwood Borough Council.

2. Policy Context

National Planning Policy
National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)

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

Local Plan Policies

CP1 - General Development Criteria
H14 - Housing density
T2 - New development and Highway Considerations
C5 - Retention and Provision of Landscaping and Natural Features in Development.

3. Relevant History

- 15/00408/FUL: Demolition of 48 lock-ups, change of use of land and development of 6 new-build affordable houses. -Application Withdrawn

4. Neighbour Responses

33 letters of notification were sent out and a site notice was displayed at the entrance to the site. One letter of representation has been received which raises concerns regarding security of their rear garden once the garages are removed (there should be 2m wall and not a 2m fence) and the potential increase in parking and vehicular use in Fawtens Close.

5. Consultation Responses

- **Highway Authority:**

The highway authority is disappointed that the parking design does not meet Brentwood Borough Council's adopted parking standards in terms of bay size and manoeuvrability requirements. These standards were indicated to the applicant in pre-application consultations. There is apparently sufficient space for the standards to be achieved, so the highway authority would recommend that this is given further consideration if the proposals are approved.

Therefore, in light of the above, and given that displaced tenants have been found suitable alternative facilities and the proposed parking provision complies with Brentwood Borough Council's adopted parking standards in terms of numbers, the highway authority would not wish to object to the proposals subject to the following conditions;

1. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres with a minimum 6m aisle behind each space. Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
2. Cycle parking shall be provided for the new dwellings in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
3. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for the new dwelling, approved by Essex County Council. 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.
4. 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 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 1 of the Highway Authority's Development Management Policies February 2011.

Informatives

-Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

-All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

-The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood. CM13 3HD.

● **Environmental Health & Enforcement Manager:**

With regard to the above I confirm the following matters that require attention.

Contaminated Land

Should contamination be found that was not previously identified during any stage of the application hereby approved or not considered in the remediation scheme, that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed in accordance with Essex Contaminated Land Consortium's 'Land affected by Contamination (2nd Edition)' and a separate remediation scheme shall be submitted for approval by the Local Planning Authority. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.

Building activities

o With regard to building activities in general under the Control of Pollution Act 1974 and the Environmental Protection Act 1990 such activities must be carried out within agreed time periods.

These are as follows:

Monday - Friday: -	08:00hrs to
18:00hrs	
Saturday: -	08:00hrs to
13:00hrs	
Sunday/Bank Holidays: -	No noisy work at all

In addition to the above, contractors must take due care not to make any unnecessary noise during their work and in particular, time particular noisy activities such as angle grinding/pile driving/hammering etc. for periods after 09:00hrs and before 17:00hrs.

- o All deliveries to site should occur within the 'Building activities' time frame.
- o Management control shall be carried out to ensure that:
- o No loud abusive or inappropriate language be used
- o No loud radio/amplified music be carried out whilst staff are on site
- o All site sub-contractors should nominate or appoint a suitable team member responsible for liaison with the lead contractor's representative and to ensure that sub-contractor construction activities are managed effectively. For information, a summary of 'best practice' site management measures is provided within the guidance Kukadia et al, BRE/dti, February 2003. Here the Minerals Policy Statement 2, Annex 1 Dust provides guidance on dust control and mitigation measures.
- o The Applicant and contractors must ensure that artificial lighting does not materially interfere with nearby residents comfort, convenience and amenity.

- **Arboriculturalist:**

There are some issues with retained trees which I raised at DTM . The offsite trees shown to be retained will be affected unless there is very careful consideration given to construction method and it can be proven that roots will not be excavated and the rooting environment remain undisturbed. Also demolition could be difficult and will need to be covered by a method statement.

- **Housing Services Manager:**

The proposed housing development at Fawtlers Close meets the housing need requirements for older people in the Borough. It would make an important contribution to the Council's affordable housing stock. The Housing Department therefore strongly supports this planning application.

- **Design Officer:**

This submission follows the recently withdrawn application (ref: 15/00408/FUL) which proposed 6 new build affordable houses set over two storey's.

Further pre-application advice has been undertaken by the applicant and the Project Architect culminating in this current submission to develop 4 x 1 bedroom bungalows designed specifically for the over 65s.

Having assessed the submitted information, I advise the site layout with the reduced number of dwellings with an appropriate scale is acceptable; this scheme demonstrates a suitable approach to development upon a site which currently contains a vast quantity of hard standing and redundant garages.

Further information is required in respect of boundary treatments and materials, this could be subject to conditions.

In summary I raise no objections on Design Grounds to these proposals and support this application.

6. Summary of Issues

The existing garages are in two blocks which adjoin the eastern and western boundaries of the site. The existing buildings are single storey, flat roofed buildings and are currently in a poor state of repair. The site adjoins existing residential properties on all sides which consist of a mix of residential types (detached, semi-detached and terraced housing as well as flats) which are single, one and half and two storey in height. The residential properties to the east front Cedar Road, those to the north and west front Fawters Close. There is an existing vehicular access to the site from Wainwright Close located in the south-western corner of the site, in between nos. 80 and 82 Wainwright Avenue. There is also an existing pedestrian access from Fawters Close along the site's northern boundary. A legal right of access exists across the site for vehicular access to two neighbouring properties (82 Wainwright Avenue and 13 Cedar Road).

The main issues which require consideration as part of the determination of this application are the principle of the development, the impact of the development on the character and appearance of the area, any impact on the amenity of the occupiers of neighbouring residential properties, the quality of life for the occupiers of the proposed dwellings and highways/parking matters.

Principle

The site is located within an area identified for residential use within the Local Plan and so the proposal would be in conformity with this.

The re-development of the site would result in the loss of around 50 garages and the associated parking provision they could provide. However, the applicant has confirmed that all the former tenants of the garages have been offered alternative garage provision in the local area. On this basis, it is considered that the loss of the existing garages is unlikely to result in additional pressure for on-street parking within the vicinity of the site and so no objection is raised to the loss of the existing garages.

Character and Appearance

The application site is not visually prominent being enclosed on all sides by existing residential properties and ground levels reduce in a south to north direction.

The removal of the existing garages would improve the outlook from adjoining residential properties.

The proposed buildings would be single storey in height and set into the site a distance of around 36m from Wainwright Avenue. On this basis and the size, height, position and design of the proposed dwellings, it is considered that the new buildings would not cause harm to the character or appearance of the area, in compliance with the NPPF (section 7), NPPG and Policy CP1 (criteria i and iii). The Design Officer supports this view.

It is proposed to retain the tree located on the rear boundary of 19/21 Cedar Road which overhangs the eastern boundary of the site along with two trees adjacent to the northern boundary. However, the application is not accompanied by an Arboricultural Survey and Impact Assessment which would be required to demonstrate that the proposed development would not have an adverse impact on any of these trees, in accordance with Policy C5. The recommendation below is made on the basis that it is anticipated that this matter can be resolved prior to the Planning and Licensing Committee.

It is considered that the means of enclosure proposed, as a result of the location and extent of screen fencing to be used to enclose the four plots, could create an unattractive environment within the site but this detailed matter could be the subject of a condition attached to any planning permission granted so that alternative details of means of enclosure could be approved at a later date.

It is also considered that use of the concrete, slate grey colour tiles proposed would detract from the appearance of the development but details of the external materials to be used could be the subject of a condition requiring that samples of materials are submitted for approval.

It is considered that the proposed development, at a density of 45 dwellings per hectare, would make efficient use of the site given the site's physical constraints and the character and appearance of the existing development in the vicinity of the site, in compliance with Policy H14.

Neighbours' Amenity

The proposed buildings would be single storey in height. The buildings would be a minimum of 1m from the eastern boundary of the site and a minimum of 6.5m from the site's western boundary. The existing dwellings to the east of the site are a minimum of 17m from the site's eastern boundary. On this basis, it is considered that the proposal would not cause harm to the amenity of the occupiers of any neighbouring residential properties by reason of dominance, loss of outlook, loss of daylight, loss of sunlight or loss of privacy, in compliance with the NPPF (paragraph 17) and Policy CP1 (criterion ii).

A condition could be imposed, as recommended by the Environmental Health Officer, to control the construction period to minimise noise, disturbance and inconvenience to existing residents.

Quality of Life

The proposed dwellings would be provided with off-street parking which would comply with the adopted standard of at least one parking space per one bedroom property and 0.25 visitor parking spaces per dwelling. Amenity space in excess of 75sq.m. is also proposed which would exceed the recommended minimum of 50sq.m. for one bedroom properties. Whilst the standard is for private amenity space and the whole of the garden areas proposed would not be private, given the enclosed location of the site and the type of housing proposed, it is not considered that this matter would result in an inadequate quality of life for the occupiers. The gross internal floorspace for the dwellings would exceed the recommended minimum of 50sq.m. plus 1.5sq.m. of built-in storage for a two person, one storey property as set out in DCLG's Technical Housing Standards (March 2015). On this basis, it is considered that the development would provide an adequate quality of life for the occupiers of the proposed dwellings, in compliance with the NPPF (paragraph 17) and Policy CP1 (criterion ii).

Highways and Parking

The proposed development would provide at least one parking space per dwelling and at least one visitor parking space which would comply with the adopted parking standard for one bedroom dwellings.

The Highways Authority does not raise objection to the proposal subject to the imposition of conditions including one to address the inadequate size and access to some of the parking spaces proposed. On the basis of this, the scale and nature of the proposal and as an existing vehicular access would be used which used to serve over 50 garages, it is not anticipated that the development would cause harm to highway safety.

A condition could be imposed requiring details of a Construction Management Plan to be approved before the development is commenced to minimise disruption for users of highways in the vicinity of the site.

On this basis, the development would comply with the NPPF (paragraph 17), Policy T2 and Policy CP1 (criteria iv and v) in this respect.

Other Matters

Given the previous use of the site as garaging, the Environmental Health Officer recommends that, if planning permission is granted, a condition is imposed to

address any potential contamination at the site in the interests of human health and to prevent pollution of the water environment.

Whilst the Council as landlord intends to limit the occupation of the proposed dwellings to the over 65s, it is considered that it would not be necessary to impose a similar limitation as part of any planning permission granted as the occupation of the dwellings by those under 65 would not result in harm to any planning related matter in this case. For example, an increased provision of off street parking or private amenity space would not be required.

The concerns raised by a local resident have been addressed above (the rear wall of the existing garage block which backs onto Fawters Close is to be retained and it is not anticipated that the proposed development would result in increased on-street parking or vehicular use of Fawters Close as the existing garages are unoccupied and adequate provision for the occupiers of the proposed dwellings is to be made within the application site).

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 U11491

Notwithstanding the details indicated in the application, no development shall take place above ground level until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

3 U11492

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
- viv. external lighting

Reason: In the interests of highway safety, visual and neighbour amenity. These details are required prior to the commencement of the development as they are fundamental to the proposal hereby approved.

4 SIT02 Site levels - as illustrated

The relationship between the height of the building hereby permitted and adjacent buildings shall be as indicated on the approved drawing.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents.

5 U11493

The surfacing materials of the accessway, driveways and parking areas shall be of a permeable construction or shall be designed to direct run-off surface water to a permeable area within the site.

Reason: In order to prevent surface water flooding in the area.

6 U11494

No development shall take place above ground level 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.

7 U11495

Notwithstanding the submitted details, no development above ground level shall be carried-out until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of existing and future occupiers.

8 U11496

Should any contamination be found, the contamination shall be reported immediately to the local planning authority and construction of the development shall cease immediately. The site shall then be assessed in accordance with Essex Contaminated Land Consortium's 'Land affected by Contamination (2nd Edition)' and a remediation scheme submitted to and approved in writing by the Local Planning Authority. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority before construction of the development hereby approved re-commences.

Reason: In the interests of human health and prevent of pollution of the water environment.

9 U11503

No development shall take place until a site layout has been submitted to and approved in writing by the local planning authority which includes a minimum of five vehicular parking spaces with minimum dimensions of 2.9 metres x 5.5 metres and

with a minimum 6m aisle behind each space. The development shall be carried out in accordance with the approved details and the approved parking spaces shall be provided prior to the occupation of any of the dwellings hereby permitted.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

10U11504

No development shall place above ground level until details of cycle parking for the new dwellings has been submitted to and approved in writing by the local planning authority. The facility shall be secure, convenient, covered, provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

11U11505

Prior to the occupation of the proposed development, the developer shall provide a Residential Travel Information Pack for sustainable transport, to the occupier of each dwelling. Details of the pack shall have the prior written consent of the local planning authority.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

12DRA01A 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.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, T2, H14, C5 the National Planning Policy Framework 2012 and NPPG 2014.

2 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.

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.

4 U02678

-Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

-All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood. CM13 3HD.

BACKGROUND DOCUMENTS

DECIDED: