
13/00674/FUL

**SUBSTITUTE APPROVED FOUR-BEDROOMED HOUSE
AND DETACHED GARAGE TYPE SL/7/V1 III CARSINGTON
FOR ALTERNATIVE FOUR-BEDROOMED HOUSE TYPE
SL/8 WROXHAM AND REVISED SITING OF GARAGE ON
PLOT 84 (REAR OF NOS. 33 AND 37 THORPE ROAD)**

**LAND BETWEEN MAIN ROAD AND RECTORY ROAD
AND NURSERY DRIVE, HAWKWELL**

APPLICANT: DAVID WILSON HOMES

ZONING: RESIDENTIAL

PARISH: HAWKWELL PARISH COUNCIL

WARD: HAWKWELL WEST

In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List no. 1215 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Wednesday, 8 January 2014 with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs C M Mason.

The item that was referred is appended as it appeared in the Weekly List, together with a plan.

1 NOTES

- 1.1 This application is to a plot forming part of a greater development for 176 dwellings (175 net) currently being implemented on the site extending from Clements Hall Way to both sides of Thorpe Road and north of Rectory Road, Hawkwell. More specifically, the current application relates to plot 84 of that development located immediately to the rear of nos. 33 and 37 Thorpe Road and which is one of four detached houses accessing onto a small private drive accessed from the street network within the development gaining access from the made up section of Thorpe Road.

- 1.2 The approved planning application being implemented would provide a detached four-bedroomed house with "L" shaped plan set within a larger irregularly shaped plot with a detached pitched roofed single garage set at an angle to the street and within the front garden area.

The Proposal

- 1.3 The proposal is to substitute the approved house design with a house type already approved to plots 37, 90 and 123. The proposed house would have a more square plan measuring 8.5m in width and 9.7m in depth, including a two storey pitched roofed front gabled projecting wing to a depth of 0.7m to part of the front elevation width.
- 1.4 The single garage design would remain unchanged, but it would be re-sited alongside the house now proposed with two fore court parking spaces side by side in front.
- 1.5 The applicant advises that the change is required to allow a larger garden size and for the two car parking spaces to be provided in front of the garage, instead of being in front of the house as approved.
- 1.6 The submitted plans show a reduced site in this part of the layout retaining a larger garden area to No. 33 Thorpe Road than previously shown. Plot 84 is now shown proposed with a smaller plot with a more triangular shape tapering down over the depth of the site.

2 RELEVANT PLANNING HISTORY

- 2.1 The site has an extensive planning history. The most relevant applications comprise that for the greater development being implemented and the subsequent variation to obscure glazing of certain windows throughout the development, as set out below.

Application No. 12/00381/FUL

- 2.2 Demolish Existing Dwelling And Construct Development Of 176 Houses With Access Off Thorpe Road, Access Off Clements Hall Way, Access For One Plot Off Rectory Road, Road Network, Cycle Way And Footpath Network, Public Open Space, Landscaping And Location Of High Pressure Gas Main

Permission granted 17 December 2012.

- 2.3 This permission is now being implemented and to which the current application relates.

Application No.13/00035/FUL

- 2.4 Application To Vary Condition No. 4 To Application No. 12/00281/FUL For A Development Of 176 Dwellings Approved On 17 December 2012 And (summarised) To Vary Those Plots To Which Obscure Glazing Of Side Windows Would Otherwise Be Required In Favour Of Two Alternative Conditions 4 and 4a.
- 2.5 Permission granted 30 April 2013, subject to alternative variation condition 4R, which adds to existing condition 4, a further 18 No. plots with outward facing side windows that need not be obscure glazed.

3 MATERIAL CONSIDERATIONS

- 3.1 The site remains currently allocated Metropolitan Green Belt under the Council's saved Local Plan (2006). The site, however, benefits from planning permission, as set out in the history above, which has followed consideration of the site in the adopted Core Strategy (2011) and the emerging Allocations Document, which has to be given substantial weight. The principle of the appropriateness of the development of the site for residential purposes is therefore clearly established.
- 3.2 The approved house to plot 84 is four-bedroomed. The proposed alternative design is also four-bedroomed and would be sited a further 2m to the east, increasing the separation with No. 37 Thorpe Road.
- 3.3 The approved layout shows the house approved to plot 84 sited at an angle to the rear boundary of the existing housing presenting a side elevation to No. 37 Thorpe Road and which is a common feature in modern developments in order to make best use of the land available and create a better sense of place. The proposed revised house type follows that same arrangement, also providing a side elevation to No. 37 Thorpe Road.
- 3.4 The approved house to plot 84 has an overall ridge height of 8.5m and a height to eaves of 4.95m. This approved design follows an "L" shaped plan with a flank wall facing No. 37 Thorpe Road to a depth of 6.7m. The two storey rear projection on the eastern side has an overall depth of 10.3m.
- 3.5 The proposed alternative design would have an overall ridge height of 9m and a height to eaves of 4.8m. The flank wall presented to No. 37 Thorpe Road would have a depth of 9.7m.
- 3.6 The increased height and elevation depth would be mitigated by the increased distance in siting a further 2m eastwards, giving a good relationship between the proposed alternative design and the neighbouring homes to the west.
- 3.7 The approved garage has a pitched roofed design to an overall height of 4.3m with a height to eaves of 2.3m.

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- 3.8 The approved garage to plot 84 would be sited with the back wall 1.5m from the site boundary with No. 37 Thorpe Road
- 3.9 The proposed garage would retain the approved design, but would be turned and sited to face the private drive area and be sited alongside the proposed alternative house design. This would present the garage side elevation at a length of 7.6m towards No. 37 Thorpe Road in contrast to the width of 3.7m, as previously approved.
- 3.10 The revised garage siting would be located at a pinch point 1.5m from the boundary with No. 37 Thorpe Road, increasing to 4m.
- 3.11 The revised siting would be more logical and would break up the side elevation of the proposed alternative house design. As approved, there would be a separation between the house and the garage in front of the house of 6m. As now proposed, that space would be provided to the garage forecourt area for the southern half of the garden width to No. 37 Thorpe Road. Given that there is a garden depth to No. 37 Thorpe Road of some 16m there would be no significant light loss caused by the revised house design or garage re-siting that would justify refusing permission due to the impact of these proposed changes upon the amenity enjoyed by those neighbouring occupiers and those other properties also neighbouring the site.
- 3.12 The approved house type features a landing window and bedroom window at first floor facing eastwards within the site across the adjoining garaging and towards the house approved to plot 92. The rear projecting wing also features a first floor bedroom window looking westwards towards Nos. 33 and 37 Thorpe Road. These first floor side windows were required to be obscure glazed and fixed shut below 1.7m from first floor finished floor level by the previous permission and its later variation.
- 3.13 The current application would provide smaller first floor side windows serving a landing facing eastwards and an en-suite facing westwards towards Nos. 33 and 37 Thorpe Road. Despite the reduction in glazing and improvement in privacy with neighbouring properties, these windows will need to be obscure glazed and fixed shut below 1.7m above first floor finished floor level by a condition to the grant of permission.
- 3.14 The proposed layout for plot 84 would retain side spaces of 1m in accordance with the Council's standards.
- 3.15 The proposed layout for plot 84 would retain a rear garden area of 127 square metres and in excess of the Council's minimum 100 square metre requirement.
- 3.16 The garage and parking would be unaffected by the proposal and would provide a single garage of 7.1m internal depth and 3m internal width and with two forecourt parking spaces each 6m deep and 2.9m in width, in accordance with the Council's preferred sizes.

4 CONSULTATIONS AND REPRESENTATIONS

4.1 HAWKWELL PARISH COUNCIL: No objections.

4.2 ESSEX COUNTY COUNCIL HIGHWAYS: No objections.

4.3 Neighbours: One letter has been received from the following address:-

4.4 Thorpe Road: 37.

4.5 And which in the main makes the following comments and objections:-

- The proposed house has been moved and will encroach further across the back of my property and therefore will cut out most of the light from my back garden.
- How can you possibly consider a four-bedroom property in such close proximity to my rear garden boundary; it is not as if this is a small site with very little land available.
- Surely the consideration of existing residents should be of paramount importance.
- What consideration has been made should the application be successful?
- Our garden will now be totally overlooked, especially if there are any windows to the side of the house. Houses have already been built next to existing properties, which have no side windows for this very reason and therefore do not see why we should not be afforded the same privacy rights.
- Understand the garage for this property has been moved and will now adjoin my garden lengthways rather than end on. This will obviously cut out even more light.
- The aesthetic will now look mean. I will look out onto a wall of brick work and roof tiles; this I find unacceptable. Furthermore, no sunlight will enter my garden. Surely everyone should be afforded that right. This will be further noticeable during the spring, autumn and winter months when the sun is low in the sky. My garden will be in total shade as a result.
- Houses should be built with gardens backing gardens and that is the logic that should be applied here.
- Hope the Council will take the above into account. From experience it seems that the view point of local residents or single parties have no or

little effect over that of powerful developers. While I accept the Council has an obligation to deliver sustainable housing in the area, all I ask is that you will consider the existing properties/residents when making your decision.

5 RECOMMENDATION

5.1 It is recommended that the application be approved, subject to the following conditions:-

1. SC4B – Time limits full standard
2. The dwelling hereby permitted shall be finished in the following external materials unless otherwise agreed in writing by the Local Planning Authority:-

Weinerberger (Terca) Dorchester Red stock external facing brick;

Marley Garsdale Fibre cement slate tile to the roof;

Marley Eternit Cedral white weather boarding with grain to gable boarding feature.
3. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no window, door or other means of opening shall be inserted above first floor finished floor level on the side elevations of the dwelling hereby permitted in addition to those shown on the approved drawing nos. 16736/190, 16736/191 and 16736/192.
4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) the first floor side windows shown on the approved plans drawing. nos. 16736/191 and 16736/192, as received on 8 November 2013, shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.
- 5 The garage hereby permitted shall be retained for the parking of vehicles and shall not be converted into habitable accommodation.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

H1, CP1 of the Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011)

HP1, HP6 of the Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5 June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

C3 of the Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

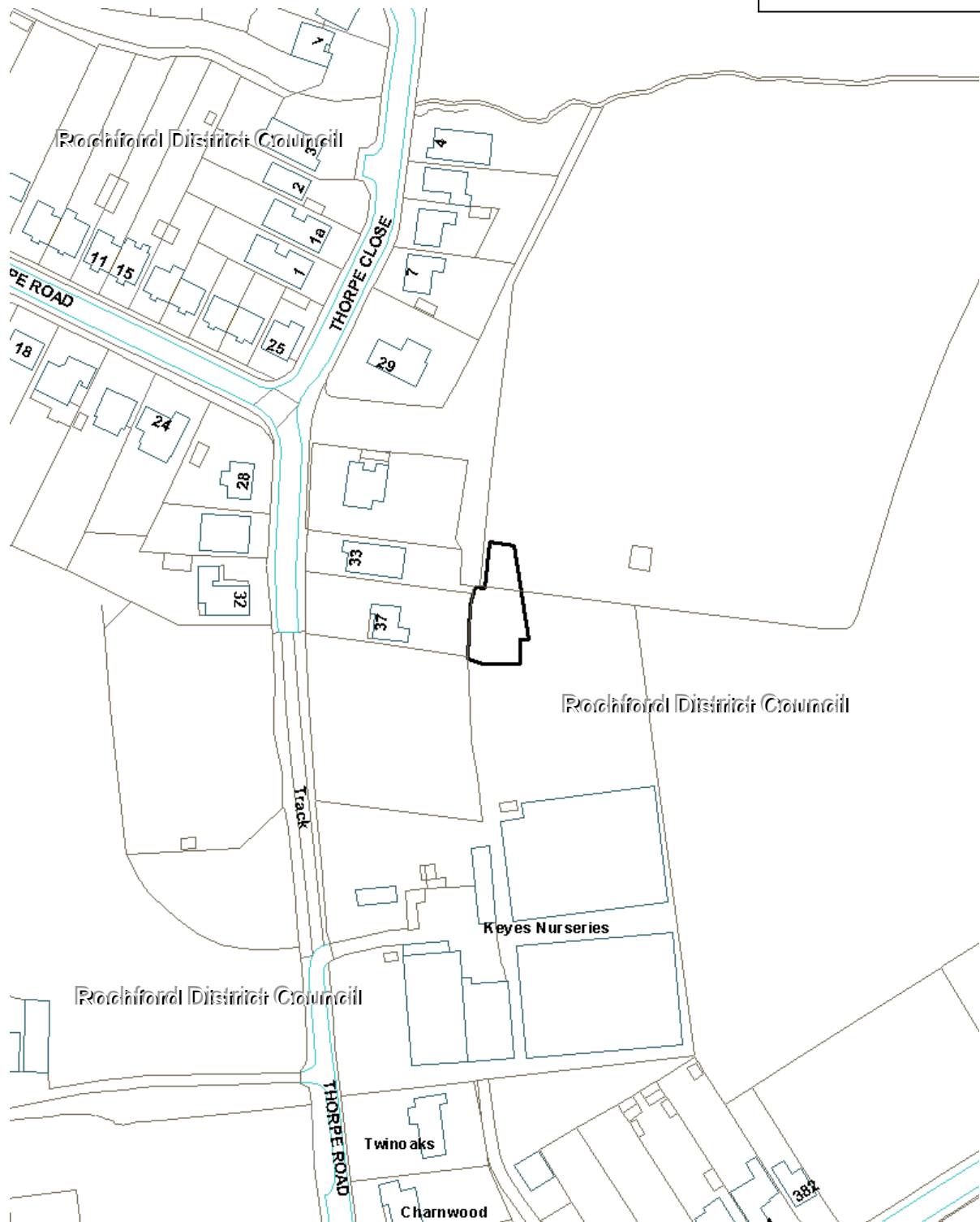
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