

APPLICATION REFERRED FROM THE WEEKLY LIST**WEEKLY LIST NO. 1421 – 6 APRIL 2018****18/00185/FUL****126 PLUMBEROW AVENUE, HOCKLEY****APPLICATION FOR VARIATION OF CONDITION NO 2 OF
PLANNING CONSENT 17/00642/FUL DATED 13
SEPTEMBER 2017 FOR THREE BUNGALOWS TO REVISE
ELEVATION DETAILS****1 DETAILS OF REFERRAL**

- 1.1 This item was referred from Weekly List No. 1421 requiring notification to the Assistant Director, Planning & Regeneration Services by 1.00 pm on Wednesday, 11 April 2018 with any applications being referred to this meeting of the Committee. Cllr A H Eves referred this item on the grounds that storage allocation within the plans submitted is less than the National Minimum Standard and that where there are minimum standards regarding good practice in the planning process those minimum standards should be upheld.
- 1.2 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.3 A plan showing the application site is attached at appendix 2.

2 RECOMMENDATION

- 2.1 It is proposed that the Committee **RESOLVES**

To determine the application, having considered all the evidence.

If you would like this report in large print, Braille or another language please contact 01702 318111.

Appendix 1

Application No :	18/00185/FUL	Zoning : Residential
Case Officer	Mr Peter Fletcher	
Parish :	Hockley Parish Council	
Ward :	Hockley	
Location :	126 Plumberow Avenue Hockley	
Proposal :	Application for variation of condition no 2 of planning consent 17/00642/FUL Dated 13th September 2017 for three bungalows to revise elevation details	

SITE AND PROPOSAL

1. The application site is located on the east side of Plumberow Avenue, within the residential area of Hockley. The site comprises an 'L' shaped area that formed the garden of the original dwelling which extends to the same depth as the neighbouring garden at no. 124. It also extends to the north occupying an open area behind the rear gardens of 128 and 130 Plumberow Avenue. The plot adjoins the rear gardens of dwellings in Cornhill Avenue to the east.
2. The site is currently being developed for three bungalows, one on the site frontage and the other two in the rear garden area. On the northern side of the driveway to the front of no.128 is a mature oak tree covered by a Tree Preservation Order. The rear garden of the site is enclosed with high level close board fencing, measuring approximately 1.8-2.0 metres in height. The rear garden space is surrounded by residential development in all directions. This is largely in the form of two-storey dwellings with moderate to large garden spaces, on Plumberow Avenue, Wimhurst Close and The Acorns. However, to the east the residential dwellings consist of semi-detached bungalows on Cornhill Avenue.

The Proposal

3. This application is made under Section 73 of the Town and Country Planning Act 1990 for a new planning permission with a revised condition 2. This condition lists the approved plans and changes to these are proposed as a minor material amendment. The buildings have been substantially completed externally and the changes involve alterations to the elevations, including new windows and a reduction in the ridge height of the roof by about 0.5m, with a resultant lowering of the eaves. The external materials are brick and render as previously approved, but there are now three more courses of brick and less render. The window design has been changed to remove the Georgian style glazing bars, but the size and height above ground level remain as previously approved.

4. Internally en-suite facilities have been added to each bungalow to serve the larger of the double bedrooms resulting in a loss of some internal storage space and reduction in the size of the main bathroom. An additional window has been inserted into each bungalow to provide light for these rooms. The internal layout of the bungalow on Plot 3 has also been modified, reducing the size of the third bedroom and switching positions with the bathroom. For both Plots 2 and 3 the size of the third bedroom has also been reduced. The only external difference is the additional window. On Plot 1 this is on the south elevation facing the side of no. 124; Plot 2 on the northern elevation on Plot 2 facing the fence on the boundary with no. 132 and the eastern elevation of Plot 3. The bungalows would continue to meet the internal floor areas as set out in the Technical housing standards -nationally described space standards which replace Policy DM4, however, the built in storage for Plot 1 would be below the national standard.

Relevant Planning History

5. 17/00642/FUL: Demolish existing dwelling subdivide plot and construct one two bedroomed and two three bedroomed bungalows with access and parking areas - permitted

18/00092/DOC: Discharge of conditions no 3,4,7,10,11,14,16,19,17 of planning permission 17/00642/FUL dated 12th September 2017 - pending consideration

Material Considerations

6. The site lies within the existing urban area and permission has been granted for the erection of three bungalows on the site. The location of the dwellings within the site is not subject to these proposals nor are any other aspects of the development other than those described under paragraphs 3 and 4 above. Details to comply with conditions of the original planning permission have in part been agreed, such as materials, and others, such as drainage are still being considered. As the principle of the development has already been accepted the sole consideration is the appropriateness of the variations proposed and whether relevant additional conditions should be attached. No new development is involved.
7. As the application is made for minor material amendments to the approved plans under Section 73 only the issue of the changes to the plans listed under condition 2 can be considered. Other aspects of the development, including the principle of the development are not open for consideration. Should it be determined that the alterations are minor and otherwise acceptable a new planning permission would be issued with a revised list of plans. Any outstanding planning conditions would be re-imposed. The local planning authority can also consider whether other conditions should be imposed, but only where necessary in relation to the amendments applied for.

8. It is considered in this case that the amendments applied for are minor and would have no greater impact on the amenity of adjoining residents than the original scheme or on the external appearance of the dwellings. The reduction in roof height would make the buildings less visually prominent and the window revisions would not alter their position above ground level or the potential for overlooking of neighbouring gardens. A site inspection has demonstrated that there are no views over the existing fence from the windows. New fencing would be of similar height. The appearance of the dwellings with an extra three courses of brick and a reduction in the amount of render would have no material impact on the character and appearance of the development or impact on the visual amenities of neighbours. The reduction in height should improve the visual amenities. There would be no change to the parking provision. There would be built in storage retained which for Plots 2 and 3 would meet the nationally described standard, whilst below for Plot 1 the reduction would not be significant.

Representations:

9. HOCKLEY PARISH COUNCIL: This planning application has been contentious from the start with local residents and the parish council objecting with back land development and this revision exacerbates the situation.

Neighbour representations

10. Seven letters have been received from residents in Cornhill Avenue and Plumberow Avenue, raising the following issues:
- The floors plans do match the elevations and additional windows in Plots 1 & 2 not shown on the plans;
 - The location of the buildings within the site is different from the original approval and the revisions do not show this. A 1m side separation with boundaries has not been maintained in accordance with policy;
 - Window height shown in the revision will be above that of the rear fence and will result in overlooking issues. The replacement fences should be higher than existing to address this;
 - Developer has disregarded original plans and the properties to the rear of the site are higher than originally proposed. Permitted development in the roof would give rise to further overlooking issues;
 - No issues with the development but concerns about parking and speed limit in Plumberow Avenue;
 - Concerns about drainage on site and the failure of the developer to comply with conditions.

Comments on representations

11. The application seeks to address the elevational changes, including the reduction in ridge height and new windows. Any changes to the position of the new dwellings within the site are not significant and do not form part of this

application. However, these will be investigated and changes sought if considered expedient.

12. Revisions to the plans to show the additional windows in each of the bungalows and the correct floor plans have been submitted. These are considered acceptable. Details submitted pursuant to the original conditions have been submitted and are being considered separately. This includes drainage and fence heights. Materials have already been approved. The current application only concerns the changes shown on the submitted plans.
13. The submitted plans show that the ridge and eaves heights have been reduced and measurements onsite support this. The windows are no higher above ground level than those shown on the originally approved plans, therefore, there would be no additional impact on neighbours as a result of the changes.

Conclusions

15. The proposed modifications to the proposed development involving a lowered ridge height and fenestration changes would not materially impact on the character and appearance of the area or on those residents whose properties adjoin the site. The grant of a new planning with revised plans is recommended.

APPROVE

- 1 The development hereby permitted shall not be carried out other than in accordance with the approved plans listed below:

Drawing nos. Project 16/117:- 341 Rev B; 342 Rev B & 343 Rev B
- 2 None of the dwellings hereby permitted shall be occupied until the existing vehicular access has been widened at its junction with the highway in accordance with the details shown on the approved drawings to provide a vehicular crossing of the footway and highway verge and the works affecting the highway have been agreed and certified as complete by the County Highway Authority.
- 3 None of the dwellings hereby permitted shall be occupied until the proposed drive shown on the approved drawings has been constructed to a width of 5.5 metres for at least the first 6 metres from the back edge of the highway boundary.
- 4 None of the dwellings hereby permitted shall be occupied until two parking spaces have been provided for that dwelling, including an associated turning area for each dwelling, as shown in principle on planning drawing 341 Rev B, excepting those for Plot 1 shall be in parallel and perpendicular to the driveway. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. The vehicle parking areas and associated turning

- areas shall be retained in the approved form for the lifetime of the development.
- 5 There shall be no discharge of surface water from the development onto the Highway.
 - 6 No unbound material shall be used in the surface treatment of the vehicular access within at least 6 metres of the highway boundary.
 - 7 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A and Class B of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval of the Local Planning Authority.
 - 8 Other than within the curtilage of each dwelling no external lighting shall be installed on site other than in accordance with details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site. Any external lighting that is installed shall accord with the details so approved.
 - 9 No development or any preliminary groundworks shall take place until:
 - i) Protective fencing has been erected in accordance with the Tree Protection Plan that forms Appendix 5 of the Arboricultural Report, except the fencing shall be of the 'HERAS' type or similar. The fencing shall be erected around the trees and positioned in accordance with British Standard 5837:2012 and retained during the construction works and any subsequent site finishing/clearance, and;
 - ii) All weather notices prohibiting access have been erected on the fencing demarcating a construction exclusion zone as detailed in BS5837:2012 section 6.
 - 10 No dwelling shall be occupied until a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) has been implemented in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.
 - 11 No dwelling shall be occupied until boundary fencing and other means of enclosure, including any gates have been erected around the site in accordance with details that have previously been submitted to and agreed in writing with the Local Planning Authority. The boundary treatment shall thereafter be permanently retained and maintained.

- 12 None of the approved dwellings shall be occupied before plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted, have been agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

Relevant Development Plan Policies and Proposals:

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) Policy CP1; H1 and T8.

Rochford District Council Local Development Framework Allocation Plan (February 2014).

Rochford District Council Local Development Framework Development Management Plan (December 2014) Policy DM1; DM2; DM3; DM4; DM5; DM28 & DM30

Parking Standards: Design and Good Practice Supplementary Planning Document (December 2010)

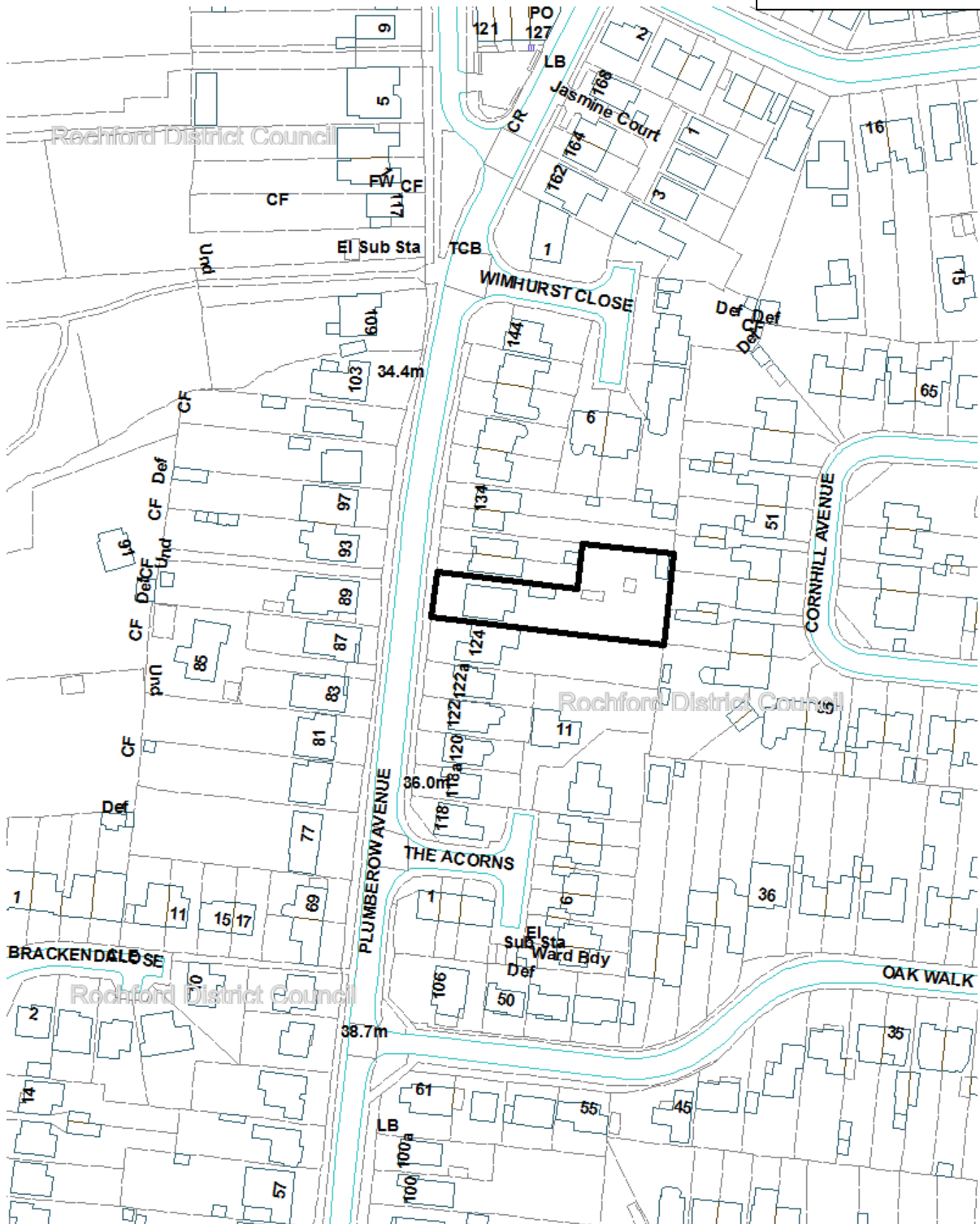
Rochford District Council Local Development Framework Supplementary Planning Document 2 Housing Design (January 2007)

National Planning Policy Guidance

Technical Housing Standards- Nationally described space standard

The local Ward Member(s) for the above application are Cllr A H Eves Cllr B T Hazlewood

18/00185/FUL



Appendix 2

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