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Date 18 May 2020
Please ask for David Gill
Department **Planning Services**
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My Ref: 20/00038/PREAPP
Your Ref:

Dear Sirs

119 Kenneth Road, Pitsea, Basildon

I refer to your pre-application enquiry letter received at this office 30 April 2020, in which you asked for this service's observations on a proposal to erect a three bedroom house attached to east side of the existing dwelling at the above site.

I shall deal in turn with the different policies, both national and local, along with any other considerations that the Council would have regard to in assessing such a proposal.

NATIONAL POLICY:

National Planning Policy Framework (NPPF)

The NPPF set out the Government's planning policies. At the heart of the document is a presumption in favour of sustainable development. The NPPF has been supported by Planning Practice Guidance since 2014.

Paragraph 73 of Section 5 (Delivering a sufficient supply of homes) of the NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should be in addition include a buffer (moved forward from later in the plan period) of 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

Paragraph 11 of the NPPF advises that plans and decision should apply a presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

The latest update on the Council's Five Year Land Supply, taking into account new guidance in the NPPG, has identified that Basildon Borough has a land supply of 2.4 years and therefore does not have a supply of specific deliverable sites sufficient to provide five years' worth of housing land.

Whilst Section 11 of the NPPF titled "Making effective use of land (Paragraphs 117-123), states – "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously- developed or 'brownfield' land."

Section 12 of this Framework titled: "Achieving well-designed places" (paragraphs 124-132) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It adds that good design is a key aspect of sustainable development, creates better places in which to live and work and make development acceptable to communities, and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Emerging Local Plan Update

The Basildon Borough Local Plan 2014-2034 was submitted to the Secretary of State for Housing, Communities and Local Government on 28 March 2019 in accordance with the Council's Local Development Scheme 2018-2020. With the exception of circumstances set out in Paragraph 49 and 50 of the National Planning Policy Framework, Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan
- b) The extent to which there are unresolved objections to relevant policies, and
- c) The degree of consistency of the relevant policies in the emerging Plan to the NPPF.

Some limited weight can be given to the relevant policies in the emerging local plan as they have been developed having regard to current evidence and national policy. However, full weight cannot be given as it has not been subject to independent examination, to ensure that it fulfils the tests of soundness set out in the NPPF.

The following emerging policies are considered most relevant to the proposal, amongst others:-

Strategic Policies

Policy SD1: A Strategic Approach to Sustainable Development in Basildon Borough
Policy SD2: Settlement Hierarchy and the Distribution of Growth
Policy SD4: Presumption in Favour of Sustainable Development
Policy H1: Housing Strategy
Policy DES1: Achieving Good Design
Policy CC1: Responding to Climate Change
Policy CC2: Flood Risk and Drainage Management

Development Management Policies

Policy T7: Safe and Sustainable Access
Policy T8: Parking Standards
Policy T10: Electric Vehicle Charging Infrastructure Standards
Policy H23: The Location of Residential Development
Policy H25: The Size and Types of Homes
Policy DES3: Urban Character Areas
Policy DES4: High Quality Buildings
Policy DES5: High Quality Landscaping and Public Realm Design
Policy COM3: Digital Communications Infrastructure in New Residential and Commercial Developments
Policy CC4: Managing Flood Risk in New Development
Policy CC5: Sustainable Buildings – New Builds
Policy NE4: Development Impacts on Ecology and Biodiversity

These in general terms promotes the re-use of previously developed land in urban area, and provision of high quality developments which make effective use of land.

Local Plan Policy:

I can confirm that the site is identified as being within an area of no notation on the Proposals Map retained as part of the Saved Basildon District Local Plan policies, where no specific proposals or area-based policies apply.

The most relevant policy in this case is saved Basildon District Local Plan policy BAS BE12 (Built Environment), this sets out a number of criteria against which residential development will be assessed, and seeks to ensure that new residential development is of a satisfactory design and layout and does not cause harm to either the street scene or the occupants of neighbouring dwellings.

Also of relevance are the Council's Development Control Guidelines, which aim to ensure that only proposals of a satisfactory design and layout take place that material harm to the living conditions of adjoining occupiers and character and appearance of

the area does not result from new development. In this case the following guidelines are considered the most relevant, (although other could just be as relevant):-

“**DC1** – New residential development should respect or enhance the existing character of the area in terms of layout, massing, height, general design and materials of buildings and structures..

DC4 – A minimum distance of 10.8 metres should be provided between the rear wall of any proposed residential development and the rear boundary of the site. This is based on an optimum of 21.6 metres between the rear wall of any proposed dwelling and the rear wall of any dwelling on to which it would back.

DC10 – Dwellings should be sited in such a manner that they are broadly compatible with the existing building lines to the front and rear. In any case, dwellings should not infringe on a line drawn at 45 degree horizontally from the nearest edge of the window of the closest ground floor habitable room of the adjoining residential property on the front and rear elevations..

DC21 – The Council will require the following minimum area for rear gardens:-

(b) All three bedroom other than detached:-

A minimum rear garden area of 85 sqm.

These guidelines have been introduced to limit the intrusive impact of any proposed development on neighbouring properties and the street scene in general.

Parking Standards:

In September 2009 Essex County Council published ‘Parking Standards – Design and Good Practice’, which are a material consideration in the determination of planning applications. The guidance states that dwellings are predominately travel origins as opposed to destinations. Previously parking standards have attempted to reduce car use by restricting parking spaces at origin and destinations. The guidance recognises that providing a reduced number of parking spaces at a travel origin does not discourage people from owning a car. Therefore parking standards for origins should be used as a minimum standard. In the guidance it states that a dwelling with 1 bedroom should have a minimum of 1 space per dwelling, with 2 + bedrooms it should have a minimum vehicle parking provision of 2 spaces per dwelling. Spaces should have a measurement of 2.9 metres by 5.5 metres with garages measuring internally 7 metres by 3 metres.

Comments:

Principle

The enquiry site currently forms part of the side garden of 119 Kenneth Road, contains a flat roofed garage attached to the east side of the existing dwelling, and is located within a predominately residential area. Advice contained within the NPPF, encourages Local Planning Authorities to make effective and efficient use of land with an emphasis on the development of previously developed or vacant land in urban areas.

The NPPF also makes it clear that there is a presumption in favour of sustainable development in respect of housing applications where a five year land supply cannot be demonstrated.

Taking these factors into account, it is considered that the principle of an additional dwelling on this site could be accepted, subject to it being achieved in a manner that is sympathetic to the existing pattern of development in the locality; that its design, scale and layout are in character with the area; that it does not impinge significantly on the amenities of neighbouring occupiers; does not create any significant highway or parking issues; and that it does not result in a poor quality environment for the future occupiers of the proposed dwellings.

I should also add that as part of any application this service would also need to consult with the following services: the Essex County Council's Highways service, and the Council's Environmental Health Service, amongst others, as well as taking into account the type, location and suitability of the site for the proposed development, parking provision, and any other environmental controls.

Design, layout of the proposed scheme and its impact on neighbours, and future occupiers of the proposed development.

In terms of the design and layout of the proposed scheme, whilst the Council has accepted Government guidance, which encourages local planning authority to increase densities in urban areas and to make more efficient use of sites, this guidance also states that such development should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality.

With regards to the submitted proposals, the drawings submitted show the proposed dwelling attached to the east side of the existing dwelling on this site, replacing the existing attached garage on this site, with the rear garden sub-divided to provide garden areas from both the existing and proposed dwellings. The proposed dwelling is shown with its front wall aligned with front wall of No.119, whilst the rear element includes a single storey rear projection. The dwelling would be set 1.6 metres from the eastern boundary, which would be slightly below the Council normal requirement of 2

metres on corner plots such as this, and the proposed dwelling should be reduced in width to meet this requirement.

The dwelling is shown as being finished in materials closely matching that of the existing dwelling at No.119, with similar eaves and ridge levels. It is noted that the side wall of the dwelling does not project fractionally forward to mimic the projections found on dwellings on the remainder of the terrace to which it is to be attached, and this should be included if the proposal is to be progressed to the application stage.

The proposal layout shows that a good sized rear garden of around 60 square metres is to be provided for the proposed dwelling, as well as retaining a rear garden area of over 50 square metres from the existing property, and would be similar in size to that of rear gardens found in this locality, and would not therefore appear cramped.

It is therefore considered that, subject to the minor changes set out above the design and positioning of the proposed dwelling would not look cramped or appear out of character in this locality.

In terms of any impact on neighbouring occupiers, due to its proposed positioning, to the east of the existing dwelling, and set away from neighbouring properties, separated by roadways, a block of garage, or the existing dwelling at No.119, it is not considered that the proposed dwelling would lead to any significant harm to the amenities of the closest neighbouring occupiers.

Highways and Parking Issues

With regards to the parking and highway issues that may be generated by the proposed development, the Council would expect that two parking spaces are provided for the proposed dwelling, as well as for the existing dwelling, given that it currently has on-site parking space and garage space, to meet the EPOA/Essex County Council Parking Standard. The proposed layout does not show any on-site parking for either the proposed or existing dwelling, and therefore would lead to parking on the highway. The site is some distance from the local town centres and railway stations of the Borough, and not within an area where the Council would normally be willing to accept a relaxation on its on-site parking requirements. As such the proposed dwelling could lead to parking on the highway, in an area that appears to suffer parking issues, and potentially lead to indiscriminate parking at the junction of Kenneth Road and Crown Avenue, to the detriment of the free flow of traffic in the locality, and the safety of other road users, and therefore would be contrary to guidance contained in the NPPF and policies of the Local Plan.

It is therefore considered that the proposed erection of a house on this site, due to its lack of parking provision, would not comply with the above mentioned policy contained in the Local Plan, and as such would have a detrimental impact to the amenities of this area, and as a result such a proposal would be viewed unfavourably by this service.

In terms of the highway safety aspect of the scheme on the surrounding road network, I would advise that you discuss this matter further with the Highway Authority, Essex County Council, who I understand also charge for pre-application advice, and I have provided a link below to their website for information on this matter.

<https://www.essex.gov.uk/planning-advice-guidance/highways-planning-advice>

Other Matters

Contaminated land Issues

On this aspect, the Council's Environmental Health Service have noted that the site contains a garage and may have led to some contamination of the site, and therefore have requested a condition be imposed relating covering contaminated land matters should consent be granted for the proposed development.

Conclusion

It is therefore considered that the proposed erection of a three bedroom house attached to the side of the existing dwelling at 119 Kenneth Road, Pitsea, which in design terms, subject to some minor changes, would not appear out of character in this locality, however, the lack of any on-site parking provision would not accord with saved policy BAS BE12 of Basildon District Local Plan, and as a result such a proposal would be viewed unfavourably by officers.

Should you still wish to apply for planning permission, you should submitted such an application by way of the Planning Portal, link available on the Council's website. This application should be accompanied by plans showing the location of the site, together with details of the proposed work, in both plan and elevational forms, and a Planning Statement, and ideally an initial desk-top study relating to contaminated land matters. A fee is charged for processing the application, and a formal decision on such an application is generally made within 8 weeks of receipt. Guidance on this matter is available on the Council's website, and if you wish to view the Basildon District Local Plan saved policies, the Publication Version of the Basildon Borough Council, and the Council's Development Control Guidelines, these can be viewed on the Council's website www.basildon.gov.uk, under the policy section, or at the Council Offices.

You should also contact the Council's Building Control section to see whether Building Regulation approval will be required for your proposed work (Tel: 01268 294182), as well as checking the deeds of your property to see whether consent is required for any other body/authority.

This information is given on the understanding that it is the opinion of officers of this service and that it would not be prejudicial to any decision the Council may make in respect of a formal application.

I hope this information is of assistance.

Yours sincerely,

David Gill
Principal Planning Officer