



Planning, Design and Access Statement

Demolition of the existing dwelling and outbuildings and the erection of a replacement dwelling

Lyndhurst, Broomhills Chase, Little Burstead, Essex, CM12 9TG



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1. Introduction

- 1.1. This Planning, Design and Access Statement has been prepared in support of a full planning application for the replacement of the existing dwelling at Lyndhurst, Broomhills Chase, Little Burstead, Essex CM12 9TG.

- 1.2. The applicant has secured a number of planning consents recently for the extension of the existing building, however, these extensions would result in a poorly laid out home, with little architectural merit. The applicant instead wants to pursue the replacement of this existing dwelling, with a new dwelling of high design quality and environmental performance. In the event that a replacement dwelling is not allowed, then the Applicant would reluctantly fallback and implement these existing permissions.

- 1.3. The detailed planning considerations are set out within this statement, taking into account the planning requirements in the National Planning Policy Framework and the adopted Basildon Local Plan (1998/99).

2. Site Context

Planning History

- 2.1. The application site has been subject to various planning permissions that are pertinent in the consideration of this case. These are listed below:
- 23/01181/LDCP - To establish the lawfulness of a proposed 15m swimming pool and associated pool house. This application was approved on 17th November 2023.
 - 22/00726/LDCP - To establish the lawfulness of construction of a proposed detached double garage. This application was approved on 27th June 2022.
 - 21/01673/LDCP - To establish the lawfulness of proposed single storey side extensions. This application was approved on 24th January 2022.
 - 21/01500/PDPA - Notification for a proposed larger home extension projecting 8.0 metres from the rear wall of the original dwelling with a maximum height of 3.0 metres and an eaves height of 2.50 metres, materials to match existing dwelling. This application was approved on 8th November 2021.
 - 21/00742/LDCP - To establish the lawfulness of a proposed outbuilding. This application was approved on 22 July 2021.
- 2.2. There have also been a number of other planning applications that have been approved that are relevant in the consideration of the surrounding built context. These being:

- 23/00072/FULL - Demolition of the existing dwelling and outbuildings and erection of a replacement single storey detached dwelling at Cranbourne. This application was approved on 14th March 2023.
- 22/01148/PIPTDC - Technical Details Consent pursuant to Permission in Principle application Ref: 21/01027/PIP (as allowed on appeal), for a single infill dwelling on land adjacent to Lyndhurst. This application was approved on 30th November 2022.
- 22/00582/REM - Application for the approval of reserved matters relating to access, appearance, landscaping, layout, and scale for Plot 2 following outline consent granted under 19/01373/OUT for the erection of two dwellings. This site is opposite Lyndhurst. This application was approved on 30th September 2022.
- 21/00756/FULL - Construction of 3/4 bed detached dwelling over two floors within basement and ground floor storeys. This site is opposite Lyndhurst. This application was approved on 16th August 2021.

The Site and Surroundings

- 2.3. The application site is located along Broomhills Chase, within the village of Little Burstead. This road contains predominantly detached dwellings set within relatively spacious plots. These dwellings are typically set back from the road within spacious plots, although many are not visible from the road as they are screened by trees and hedgerows.
- 2.4. The application site extends to 0.4 ha and comprises the existing dwelling, known as

Lyndhurst, and its residential curtilage. The site contains several outbuildings.

- 2.5. Like other dwellings along the road, this dwelling is screened from the road by existing landscaping.



Image 1: Google Earth image facing north, showing the site in its context.



Image 2: Front and Side Elevations.



Image 3: Rear Elevation.



Image 4: Rear Elevation

3. Planning Considerations

- 3.1. The proposed scheme seeks and the demolition of the existing dwelling and the erection of a self-build dwelling.
- 3.2. The following paragraphs will demonstrate how the proposed self-build dwelling responds to the planning requirements set out in the National Planning Policy Framework, and the adopted Basildon Local Plan (1998/99).

Principle of Development

- 3.3. The site is identified as falling within the Green Belt on the adopted Proposals Map.
- 3.4. Paragraph 152 of the NPPF states that inappropriate development should not be approved except in very special circumstances.
- 3.5. Paragraph 154 of the NPPF states that new buildings in the Green Belt are considered inappropriate, however, a number of exceptions are cited, one of which applies in this case. Paragraph 154(d) of the NPPF includes the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- 3.6. The proposed scheme seeks to replace the existing dwelling and associated buildings, with a new dwelling. It will be explained in this Planning Statement that the extant permissions and the fallback position will amount to very special circumstances.

Therefore, the principle of development is acceptable.

Self-Building Housing

- 3.7. The Applicant seeks to develop a single self-build bungalow dwelling.
- 3.8. There are no self-build or custom build policies in the adopted Local Plan. However, Paragraph 70 of the NPPF states that small sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. It goes on to state that to promote the development of a good mix of sites, local planning authorities should seek opportunities, through decisions, to support small sites to come forward for self-build and custom-build housing.
- 3.9. Councils are also subject to duties under Sections 2 and 2A of the Self Build and Custom Housebuilding Act 2015, which requires them to grant enough suitable permissions to meet the identified self / custom-build demand.
- 3.10. The Applicant has a desire to build his own home, however, there is a scarcity of available and suitable self-build sites in the Basildon area.
- 3.11. There is no evidence from the Council's monitoring information that demonstrates that the need for self-build plots has been met, and so the proposed scheme would provide an important contribution to this specific self-build housing supply.

Very Special Circumstances Relating to Size

- 3.12. Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances. In this application, the proposed scheme is justified through ‘Very Special Circumstances’.

Legal Context

3.13. It has long been established in case law that an extant planning permission may be claimed as a ‘fallback’ position that can act as a material consideration to justify a proposal. This represents an important consideration and a ‘very special circumstance’ when comparing the proposed building against the existing building, with its extant planning permissions.

3.14. This fallback position is supported by the following case law:

- In assessing replacement dwelling schemes, in *Athlone House Ltd v SSCLG [2015]*, it was held that an unimplemented planning permission would probably be relevant at the stage of considering whether very special circumstances existed.
- In *Gambone v SSCLG [2014]*, it was held that if the potential implementation of the permission is more than a theoretical possibility, then it is a material consideration.
- In *Zurich Assurance v North Lincolnshire Council [2012]*, the threshold is described as a low one where the possibility of a fallback position is ‘very slight indeed’ or merely an ‘outside chance’, that is sufficient to make the position a material consideration.



Fallback Discussion Relating to Lyndhurst

- 3.15. This application site has been subject to recent planning activity and includes extant permission for a large rear extension, side extensions and outbuildings. These applications are summarised in Section 2 of this Statement.
- 3.16. In the event that this current application is not successful, the Applicant will implement these permissions. Although this is not the preferred approach, as it would result in an awkward design and inefficient layout.
- 3.17. Taking into account this extant permission, the following table compares the proposed building to the existing dwelling and buildings and extant permissions:

	Existing Dwelling	Existing Outbuildings (1b and 1c on plans)	Extant Permissions (2, 3 & 4 on plans)	Total	Replacement Dwelling
Internal floor area	124 sqm	16 sqm	117 sqm	257 sqm	256 sqm
Height	5m	2.2m	4m	-	4.5m

- 3.18. When considering the extant permission, the replacement dwelling would result in a comparable floorspace and height. This would represent a 'very special circumstance'.

Character and Appearance

- 3.19. Section 12 of the NPPF relates to the goal of achieving well-designed places and states that planning decisions should ensure that developments will function well and add to

the overall quality of the area and are visually attractive as a result of good architecture and layout.

3.20. Policy BAS GB3 of the Local Plan sets out criteria for assessing replacement dwellings. It is noted that the 'Compliance Review of the Saved 1998 Local Plan Policies with the Revised National Planning Policy Framework (NPPF) (July 2018)' document states that only limited weight can be applied to this policy, given recent appeal decisions and consistency with the NPPF. The following criteria have been used as a guide during the design process.

- In the Plotland areas, replacement of dwellings of chalets will be limited to a maximum height of 7.5 metres.
- New dwellings should be located centrally within the plot and between 6 metres and 10 metres from the highway boundary.
- No part of the dwelling, including attached or detached garages and out buildings, should be less than 2.5 metres from any boundary.
- Detached garages should be set back in the plot.

3.21. Policy BAS BE12 of the local plan states that planning permission for new residential development will be refused if it causes material harm to the character of the surrounding area, or has an impact upon residential amenity, such as overlooking, noise, overshadowing or causes congestion.

3.22. These policy requirements have been met by the proposed design as:

3.23. **Built form** — The surrounding area comprises predominantly detached dwellings, laid out parallel to the road. The proposed scheme adopts this form, with the new dwelling

being located centrally within the plot and set back from the road boundary. No part of the dwelling will be less than 2.5 metres from any boundary.

3.24. The proposed building form comprises three elements:

- **Main House** - The main part of the building will include a central entrance and internal living areas that will lead out on to a patio area. This space will flow towards the garden and the approved swimming pool and Pool House.
- **Bedrooms** – Two of the bedrooms would be located within the side return to the south of the main house. This side return would be set 3 metres back from the main building line, with a lower roof form to give it a subservient appearance.
- **Garage** – The application site has a Lawful Development permission for a 62 sqm double garage. The proposed scheme has sought to incorporate this approved building within the design for the replacement dwelling. The garage would still be read as a separate building. It would be set back from the main building line by 1.5m with a 2m separation, but would be linked to the main house by a subtle glazed walkway. It will still contain a garage and storage space, but it will also be utilised to include a third bedroom and ensuite.

3.25. **Height** - The proposed dwelling would comprise a low-rise bungalow building of approximately 4.5 metres in height. The building has been designed to be lower than the highest part of the existing dwelling.

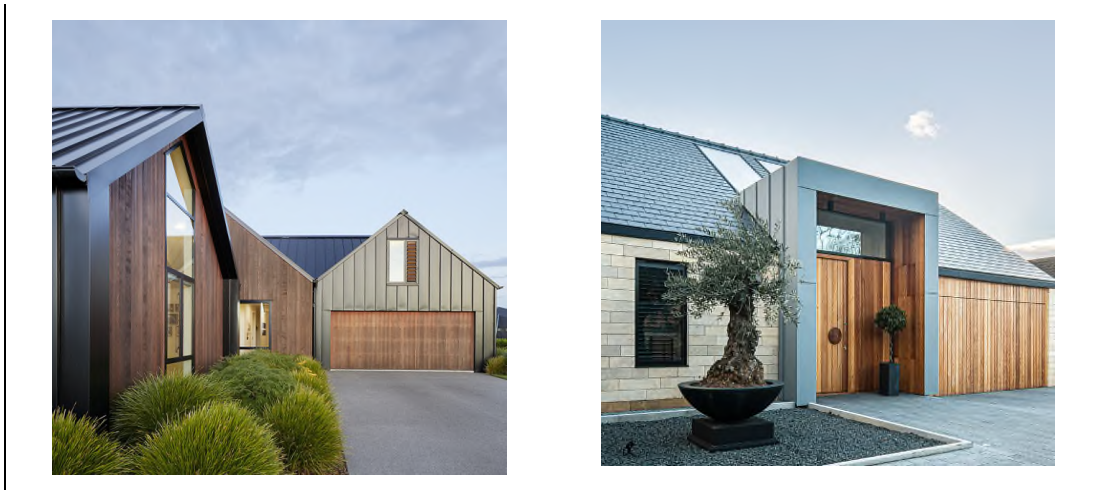
3.26. The proposed building will include two side returns (mentioned above). These have been

designed to have a subservient appearance to the central part of the proposed dwelling and as such would have a lower roof height. These side elements would have a height of 4m at the pitch of the roof.

- 3.27. **Appearance** — There is architectural variety within the streetscene, with no clear uniformed appearance or use of materials. There is a frequent use of gables, used in a variety of ways e.g. elevations, dormer windows, or porches.
- 3.28. More recently, there have been a number of contemporary dwellings approved in close proximity to the application site. These approved dwellings are referenced in Section 2 of this Planning Statement and they collectively now provide the current and emerging built context for this proposal. The proposed scheme follows a similar design direction i.e. a contemporary designed bungalow.
- 3.29. The design has incorporated the use of gable features on both the front and rear elevations to create a visual interest in the building, whilst using contemporary materials. The key materials include:
- Predominantly brick.
 - Strong use of glazing in the gable elevations.
 - Use of zinc detailing around the door surround and eaves.
 - Timber doors and, with the incorporation of louvered sliding screens over the windows to manage the light within the property.

Image Inspiration





3.30. **Energy** – The applicant intends to install solar tiles and other environmental systems to substitute gas and electric usage from the main grid.

Neighbour Amenity

3.31. The proposed dwelling would have sufficient distance between it and the nearby properties to prevent any loss of amenity occurring from any overlooking, overbearing impacts or impacts upon daylight and sunlight.

Transport and Highways

3.32. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. A single dwelling along this private road would not cause a severe impact on road capacity.



Flooding

- 3.33. The site is located in flood zone 1 and therefore has a very low probability of flooding.

4. Planning Balance

4.1 This Planning, Design and Access Statement has demonstrated that the proposed replacement dwelling is compliant with the NPPF, and the Council's adopted Local Plan as:

- The new building is in the same use as the one it replaces.
- The proposed scheme would deliver a self-build dwelling.
- The existing dwelling is highly inefficient and not suited to modern living. The proposed dwelling would rectify this issue.
- The contemporary designed approach will add architectural value to the area.
- The proposed building would be set within a spacious plot and setting.
- The 'fall-back' position represents a material consideration and a 'very special circumstance' in favour of the current proposals.

4.2. Therefore, in accordance with the presumption in favour of sustainable development in the NPPF, it is requested that planning permission is granted.