



Planning Committee
4th October 2022

Application No	:	22/01385/FUL Full Application
Location	:	2 Westfield Avenue Chelmsford Essex CM1 1SF
Proposal	:	2 Storey side extension and single storey rear extension. Chimney removal
Applicant	:	Mary Regnier-Wilson
Agent	:	Ashley Riley
Date Valid	:	25th July 2022

Contents

1. Executive summary	2
2. Description of site.....	2
3. Details of the proposal	3
4. Other relevant applications.....	3
5. Summary of consultations.....	3
6. Planning considerations	4
7. Community Infrastructure Levy (CIL)	5

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. The application has been referred to the Planning Committee because the applicant is related to a local councillor and a representation has been received on the application.
- 1.2. The proposal is for two and single storey extensions to the detached property known as 2 Westfield Avenue.
- 1.3. The current proposal is a re-submission of a previously withdrawn scheme. It includes amendments to the design, external finishes and some detailing of the proposed extension.
- 1.4. The proposed extensions would have two and single stories and would sit on the western and northern sides of the existing dwelling. They would have a contemporary design with gabled ends and flat roofs and would be connected to the main house by a glazed link. The extension would be finished in black timber-like boarding with a Zinc roof and render. The proposed windows in the extension would be contemporary in style. The extension would not harm the character and appearance or visual amenities of the area.
- 1.5. Concerns have been raised with regards to the impact the proposal would have on the amenity of the neighbouring property to the rear of the application plot, No 85 Broomfield Road, and the impact the construction of the proposed development would have on the integrity of a brick wall on the northern boundary of the application site which is a curtilage listed structure of No 85 Broomfield Road (a listed building).
- 1.6. Any views towards the upper-floor windows in the side elevation of the neighbouring property No 85 from the proposed extensions would be limited and at an angle. A distance of 20m would remain between the first floor of the new extension and the side elevation of No 85. In addition, there are mature trees and other vegetation on the north boundary of the application site that would prevent views towards No 85. It is Officer's views that the amenity of No.85 would not be adversely impacted by the proposal.
- 1.7. The rear boundary wall which forms the northern boundary of the application plot dates from 1855 and is a curtilage structure to the listed building (No 85 Broomfield Road). The proposal includes an area to be fenced off during construction works 4m from the listed wall to the rear boundary. The fence is shown on drawing No 0270/050/P3. This would be sufficient to prevent the plant or the storage of materials damaging the wall or its foundation during construction works.
- 1.8. The application is recommended for approval, subject to the conditions set at the end of this report.

2. Description of site

- 2.1. 2 Westfield Avenue is a corner plot located on the junction of Broomfield Road and Westfield Avenue. It is a detached, two storey house with single storey side and rear elements.
- 2.2. The property lies within the Chelmsford Urban Area, where the principle of development is acceptable.
- 2.3. The street-scene comprises two storey detached houses positioned in spacious plots.

- 2.4. To the north of Westfield Avenue is the John Keen Memorial Homes Conservation Area and 85 Broomfield Road, a grade II listed lodge to the Quaker burial ground. This site is enclosed by a brick wall which is a curtilage listed structure.

3. Details of the proposal

- 3.1. The application proposes side and rear extensions which would be modern in architecture and materials. A glazed link would separate the two storey element from the existing dwelling.
- 3.2. The side element would be positioned on the western side of the building and would project from the side of the dwelling by 5.2m. It would be a part two storey, part single storey extension. The ground floor of this addition would project by about 4.5m beyond the rear wall of the existing house. The first floor of the proposed side extension would project by 2.7m beyond the first floor of the rear elevation of the existing house. The extension would have a gabled end roof. The roof is proposed to be constructed of Zinc and the walls of black timber-like cladding.
- 3.3. The single storey rear element would have a flat roof and would be finished with render and black timber-like cladding to relate to the existing house and the new side extension. It would extend by 5.3m from the rear elevation of the house. It would also be joined to the house by a glassed link.
- 3.4. The listed brick wall which forms the north boundary of the application plot would be protected by a fence. The fence would be positioned 4m away from the wall.

4. Other relevant applications

- 4.1. 22/00919/FUL proposed a part 2 storey side and rear extension with single storey rear extension with roof lights; the proposal included removal of the chimney. The application was withdrawn on 22nd of June 2022.

5. Summary of consultations

Public Health & Protection Services – no comments with regards to the proposal.

Local residents – one letter of objection received raising the following concerns:

- there was no communication from Planning about withdrawn planning application 22/00919/FUL;
- groundwork has started by felling trees and stump grinding;
- harm to the burial ground wall;
- the new barrier suggested is not good enough it should be a solid temporarily plywood wall;
- 85 Broomfield Road will be overlooked;
- the horse chestnut tree is in poor condition and it's only a matter of time or it will fall down, which could result in an accident.

A summary of representations can be found in Appendix 1.

6. Planning considerations

Main Issues

- 6.1. The main issues raised by the proposal, and therefore covered in this report are:
- Impact of the development on neighbouring properties;
 - Impact on a listed boundary wall along northern boundary of the application plot.

Relationship with neighbouring properties

- 6.2. The extension would be to the south of No. 85 Broomfield Road. This neighbouring property sits perpendicularly to the application site. It is set back from the public pavement of Broomfield Road by about 12m. The neighbour's first floor south orientated windows face No. 4 Westfield Avenue and partially 2 Westfield Avenue (the application site).
- 6.3. Concerns have been raised that the two-storey extension would allow for views into the side windows of No 85 Broomfield Road, which serve bedrooms, and that this would be harmful to the privacy of the neighbouring occupiers at No.85.
- 6.4. The first-floor window within the north elevation of the two-storey extension would serve a bedroom and it would be positioned 14.2m away from the rear boundary of the application site.
- 6.5. The neighbour's house, No 85, is set back from its side boundary that it shares with the application plot by about 6m. The overall distance between the side elevation of No.85 and the first-floor window in the proposed extension at 2 Westfield Avenue would be approximately 20m.
- 6.6. Appendix B of the Chelmsford Local Plan states that the minimum distance between a window serving an upper-level habitable room and the side garden boundary of an adjacent property must be at least 15m, unless the privacy zone is otherwise protected. The distance between the first-floor window in the two-storey rear extension and the rear boundary wall would be 14.2m.
- 6.7. Given the setback position of the neighbouring dwelling, No 85, from the road, the upper-floor windows of the proposed extensions and the application property would face primarily over the front driveway area of this neighbouring property. Any views toward the upper-floor windows in the neighbouring property would be limited and at an angle. In addition, there are mature trees and other vegetation on the north boundary of the application site that help to screen views towards No 85.
- 6.8. The mature vegetation and trees on the boundary between the two properties provides effective screening for both plots, helping to minimise views from the application property towards No.85 and from the side windows of No.85 over the application property and No.4 Westfield Avenue. In addition, whilst the first-floor window in the proposed two storey extension would be closer to this neighbouring site than the existing rear facing first floor windows, it would not face directly into the neighbour's windows but would be positioned at an angle and about 20m away.
- 6.9. Given the above, it is considered that the amenity of No 85 Broomfield Road would not be harmed by the proposed extensions.

6.10. The relationship with all other neighbouring properties is considered to be acceptable.

Impact on heritage asset

- 6.11. 2 Westfield Avenue is adjacent to the John Keen Memorial Homes Conservation Area and 85 Broomfield Road, a grade II listed lodge to the Quaker burial ground. The proposed extensions would be seen in the context of the built form along Westfield Avenue and would not be unduly intrusive in key views of the heritage assets.
- 6.12. The rear boundary wall which forms the northern boundary of the application plot dates from 1855 and is a curtilage structure to the listed building (No.85 Broomfield Road).
- 6.13. Concerns have been raised that the listed wall would be damaged during the construction of the proposed additions.
- 6.14. The application drawings show that an area would be fenced off during construction works. This would extend 4m from the listed wall to the rear boundary. The fence is shown on drawing No 0270/050/P3. This would be sufficient to prevent any plant or the storage of materials damaging the wall or its foundation.
- 6.15. As such, there would be no adverse impact on the setting of the heritage assets and the listed wall would be sufficiently protected to avoid any damaged to it during the construction of the proposed development.
- 6.16. A condition is attached to this recommendation requiring the protective fencing to be in place for the duration of the works.

Other Matters

- 6.17. Whilst the design of the proposed extension is contemporary, the contrasting materials, set back position and use of a glazed link mean that the character and form of the original building would be retained and legible. The extension would not cause any harm to the character and appearance of the building. The extension would not harm the character and appearance or visual amenities of the area.
- 6.18. Concerns have been raised that some tree works and clearing has begun within the site. These works do not require planning permission as the trees within the application site are not preserved.
- 6.19. With regards to comments received about the horse chestnut tree these are not related to the current proposal.
- 6.20. Sufficient off street parking spaces would be provided.

7. Community Infrastructure Levy (CIL)

- 7.1. The proposed works may be CIL liable and there may be a CIL charge payable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved plans and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site.

Condition 3

The curtilage listed wall which forms the rear boundary of the application plot shall be protected by a barrier erected in accordance with approved drawing No 0270/050/P3. The fence shall be erected before the commencement of any clearing, demolition and building operations. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area. The fence shall be retained in situ for the full duration of construction works at the application house.

Reason:

To ensure the proposed development does not result in any damage during construction works to the curtilage listed structure in accordance with Policy DM13 of the Chelmsford Local Plan.

Notes to Applicant

- 1 In order to cause minimum nuisance to neighbours, the applicant is strongly advised to follow guidelines for acceptable working hours set out by the Council's Public Health and Protection team.

Noisy work

- Can be carried out between 0800 and 1800 Monday to Friday
- Limited to 0800-1300 on Saturdays
- At all other times including Sundays and Bank Holidays, no work should be carried out that is audible beyond the boundary of the site

Light work

- Acceptable outside the hours shown above
- Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.

For more information, please contact Chelmsford City Council Public Health and Protection Services, or view the Council's website at www.chelmsford.gov.uk/construction-site-noise

- 2 The Party Wall Act 1996 relates to work on existing walls shared with another property or excavation near another building.

An explanatory booklet is available on the Department for Communities and Local Government website at <http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Public Health & Protection Services

Comments
04.08.2022 - No PH&PS comments with regard to this application

Local Residents

Comments
<p>One objection letter received from one local resident, summarised as follow:</p> <ul style="list-style-type: none"> • - there was no communication from Planning about withdrawn planning application 22/00919/FUL; • - groundwork has started by felling trees and stump grinding; • - about a dozen mature trees have been felt which is contrary to political promises made at the last election; • - harm to the burial ground wall has not been sorted; • - people buried here served in the great war at Russian front saving lives of others; • - Sophia Knight is buried here the younger sister of Anne Knight; • - Fell Christy is buried here too and a street is named after him; • - the works are disrespectful for the death; • - the monumental wall should be sorted before any other work; • - the new barrier suggested is not good enough it should be a solid temporarily plywood wall; • - 85 Broomfield Road will be overlooked which would impact the neighbour's privacy; • - the blinds on windows of No 85 would need to be shut all the time to avoid overlooking; • - the horse chestnut tree is in poor condition and it's only a matter of time or it will fall down, which could result in an accident;



0 12.5 25 50 Metres

1:1,250



Planning Committee
22/01385/FUL

Planning & Development Management
Directorate for Sustainable Communities

PO Box 7544 Civic Centre
Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826



EXISTING FRONT ELEVATION
1:50



EXISTING REAR ELEVATION
1:50

P2	SUBMITTED TO PLANNING	06.05.2022
P1	FIRST ISSUE	29.04.22
REV	DESCRIPTION	DATE

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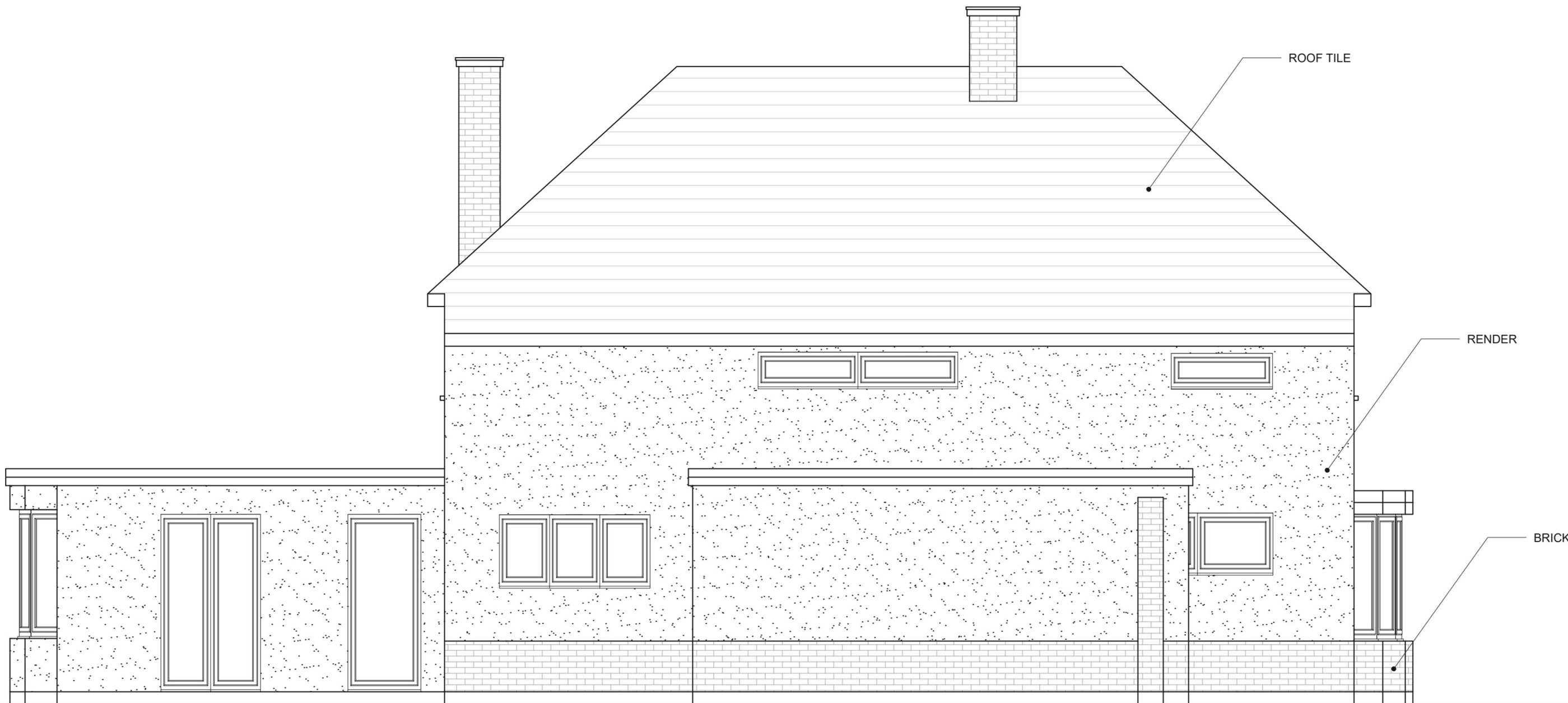
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Before building work commences it is the responsibility of the builder or owner to serve the relevant Party Wall Notices to all neighbors affected.

DRAWING NAME			
EXISTING ELEVATIONS			
ADDRESS			
2 Westfield Avenue, Chelmsford, CM1 1SF			
SCALE @ A1	FIRST ISSUED	DRAWING NO	REV
1:50	04.22	0270 200	P2

method STUDIO



EXISTING LEFT ELEVATION
1:50



EXISTING RIGHT ELEVATION
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P2	SUBMITTED TO PLANNING	06.05.2022
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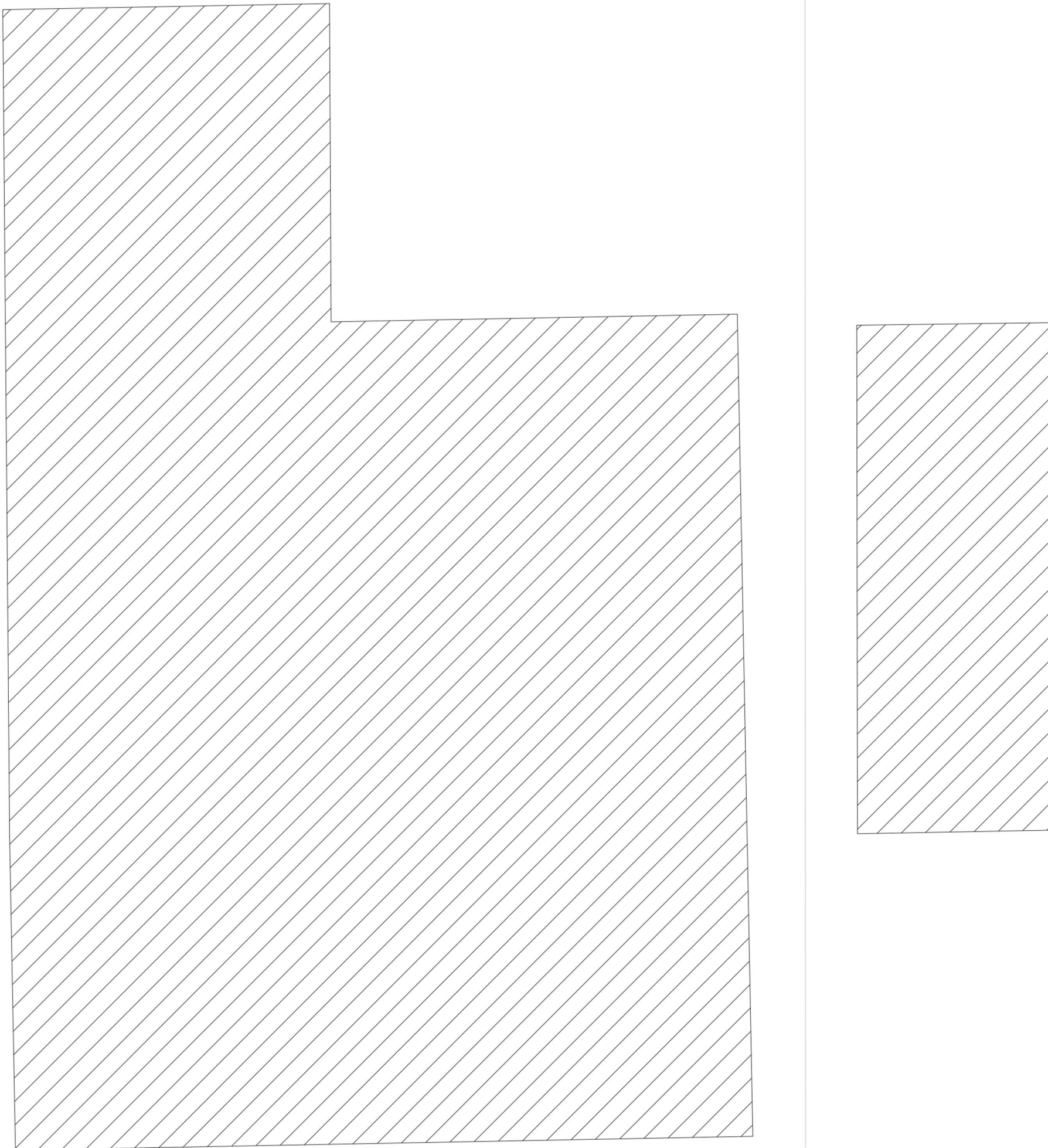
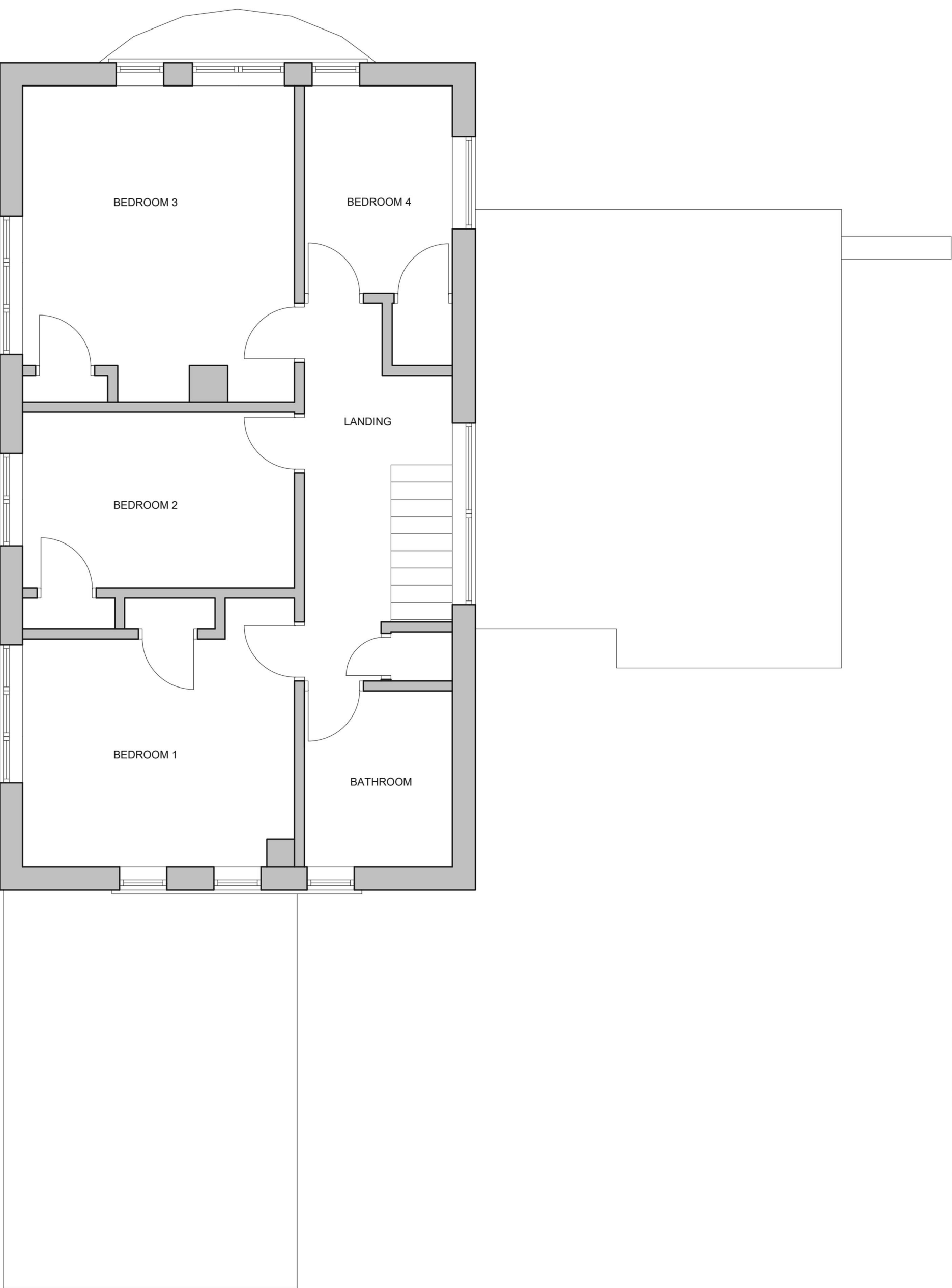
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EXISTING FIRST FLOOR PLAN

1:50

P2	SUBMITTED TO PLANNING	06.05.2022
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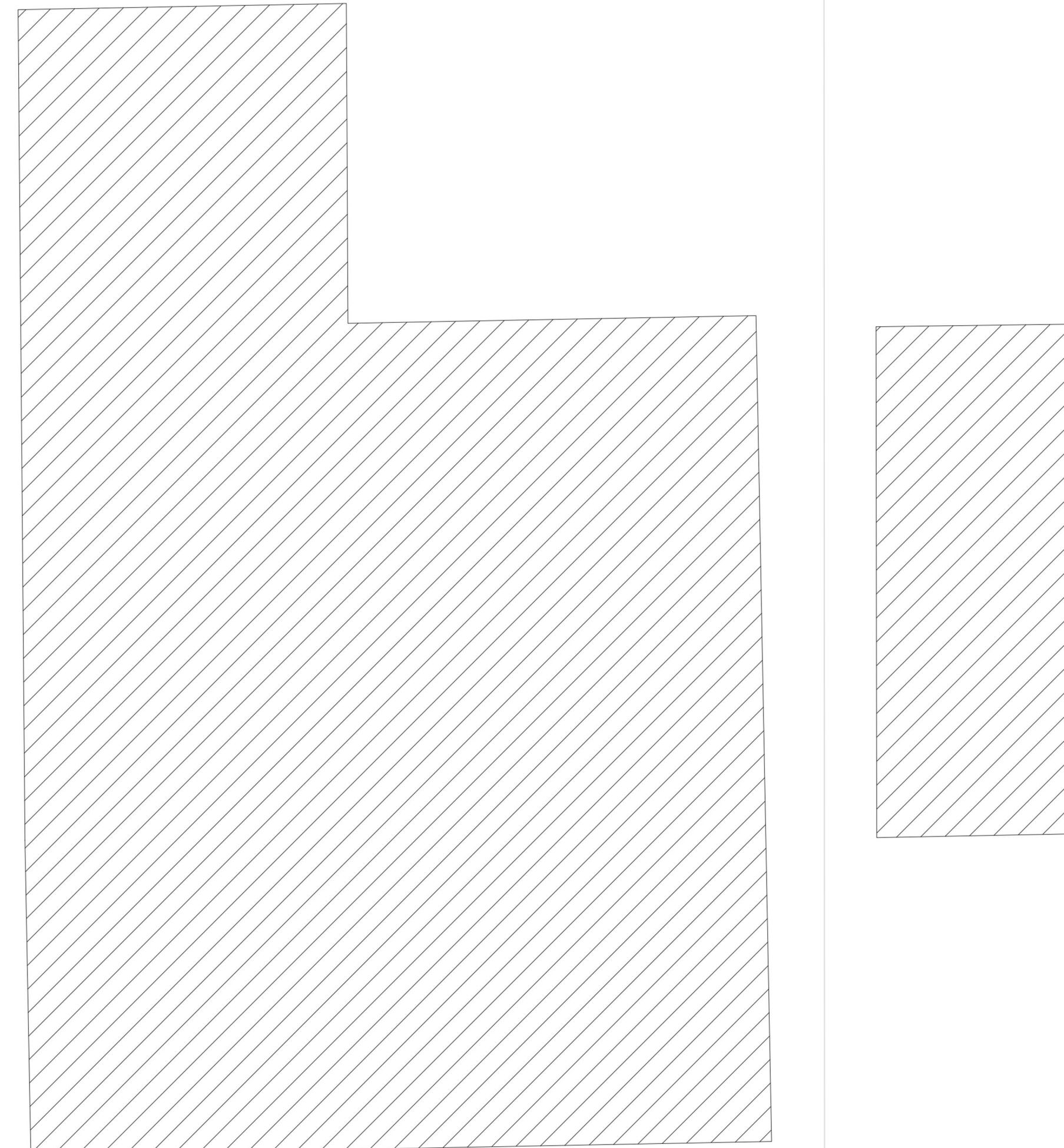
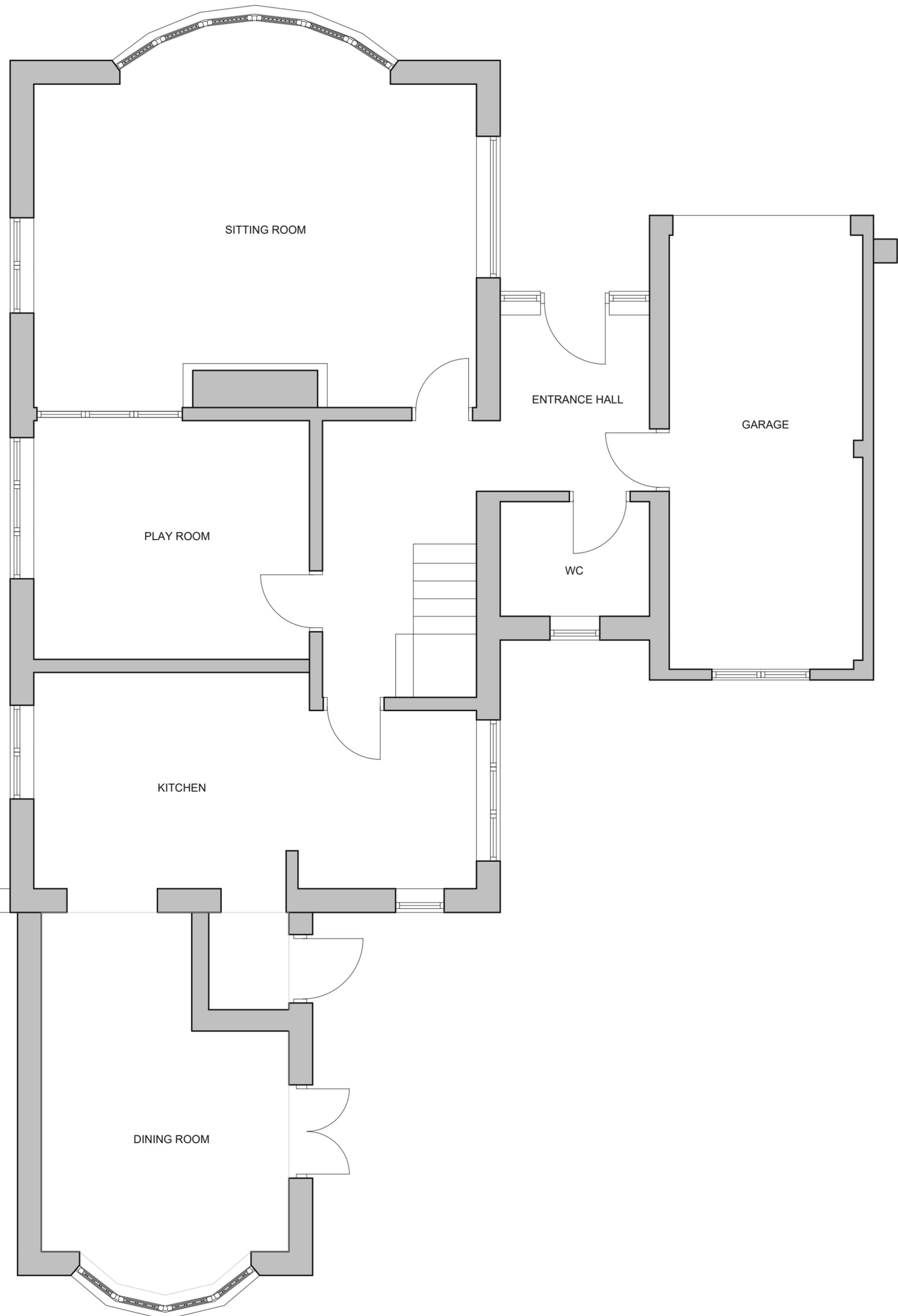
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2 Westfield Avenue, Chelmsford, CM1 1SF			
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method STUDIO



EXISTING GROUND FLOOR PLAN
1:50

P2	SUBMITTED TO PLANNING	06.05.2022
P1	FIRST ISSUE	29.04.22
REV	DESCRIPTION	DATE

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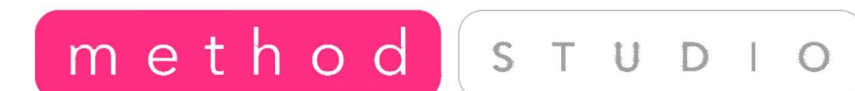
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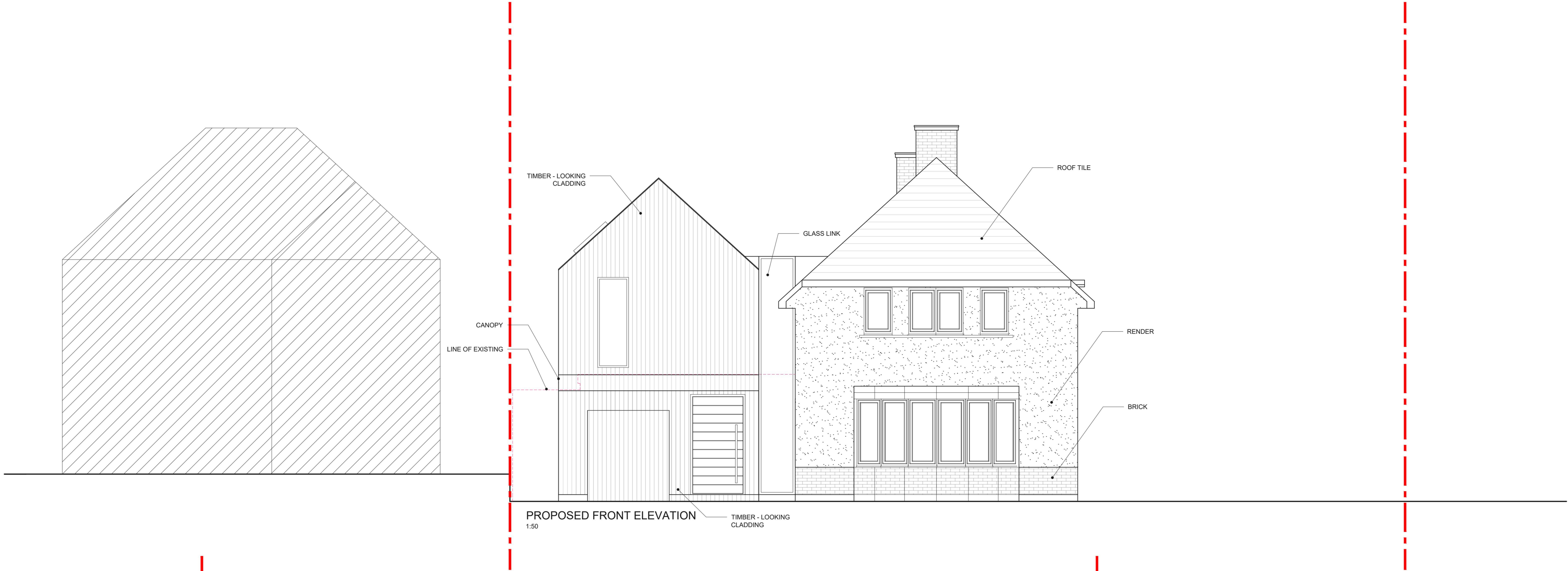
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2 Westfield Avenue, Chelmsford, CM1 1SF			
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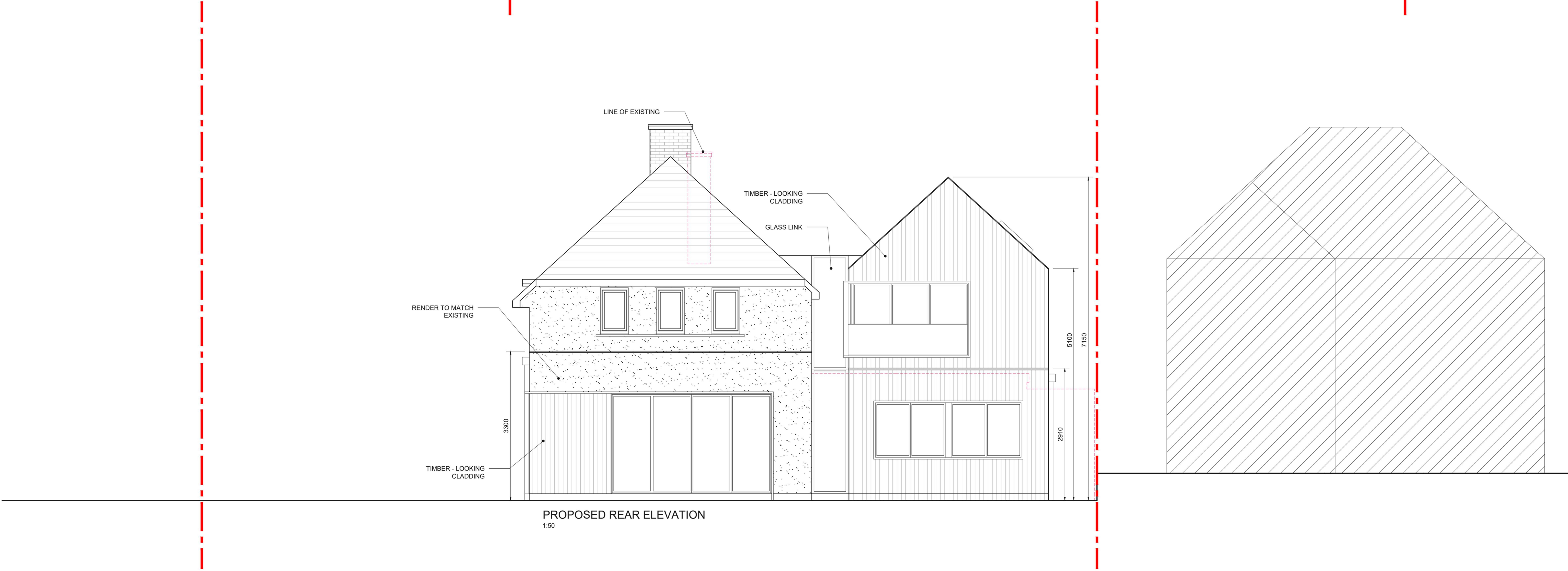
PROPOSED FRONT ELEVATION
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Zinc Roofing material



Grey Timber Cladding
External Wall Finish



PROPOSED REAR ELEVATION
1:50

P5	UPDATED TO PLANNING COMMENTS	15.07.2022
P4	DIMENSIONS ADDED	17.05.2022
P3	SUBMITTED TO PLANNING	06.05.2022
P2	DESIGN UPDATES FROM CLIENT	05.05.22
P1	FIRST ISSUE	28.04.22
REV	DESCRIPTION	DATE

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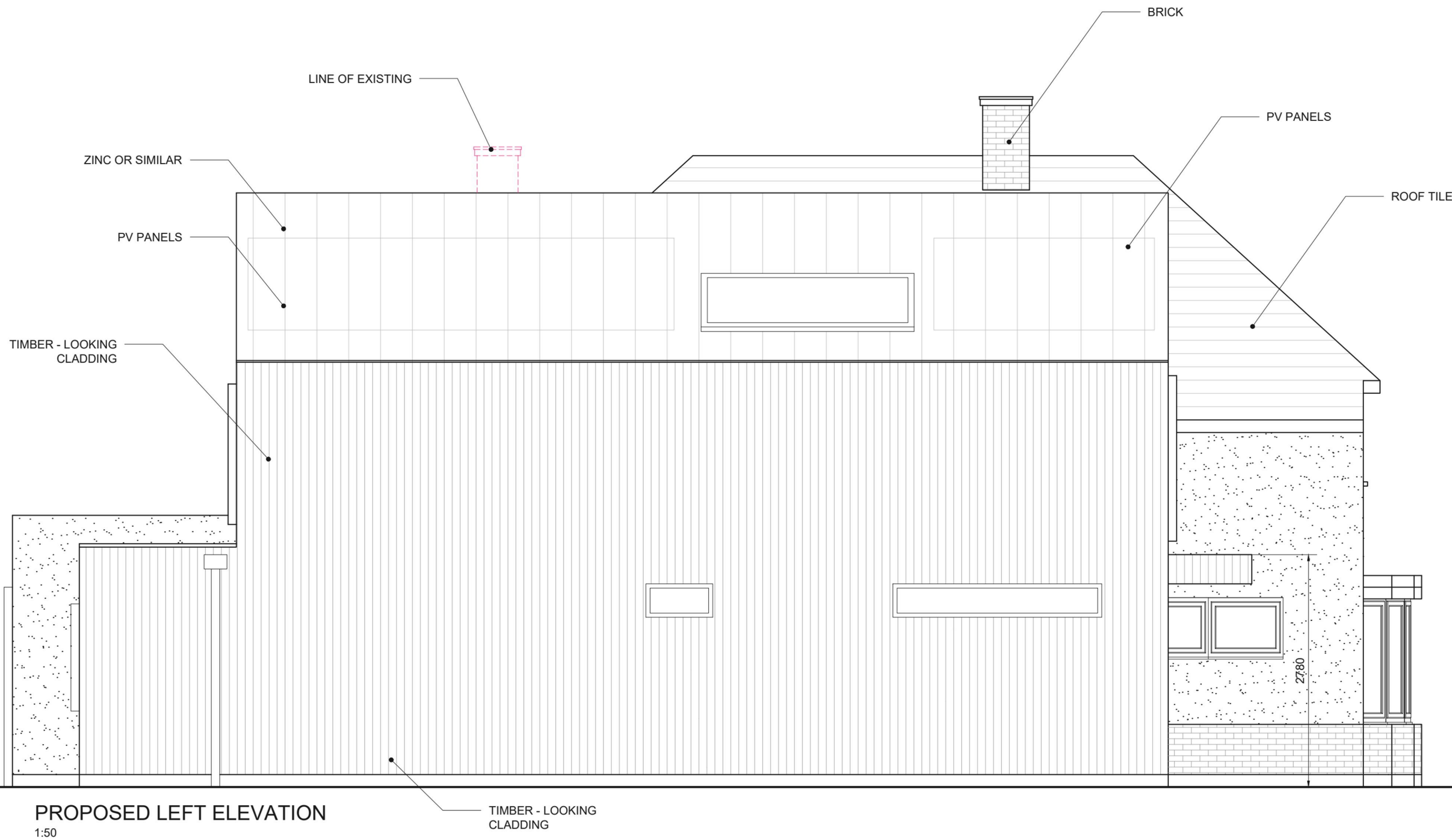
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DRAWING NAME			
PROPOSED ELEVATIONS			
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2 Westfield Avenue, Chelmsford, CM1 1SF			
SCALE @ A1	FIRST ISSUED	DRAWING NO	REV
1:50	04.22	0270 210	P5

method STUDIO



P5	UPDATED TO PLANNING COMMENTS	15.07.2022
P4	DOOR AMENDED AND DIMENSIONS ADDED	17.05.2022
P3	SUBMITTED TO PLANNING	06.05.2022
P2	DESIGN UPDATES FROM CLIENT	05.05.22
P1	FIRST ISSUE	28.04.22
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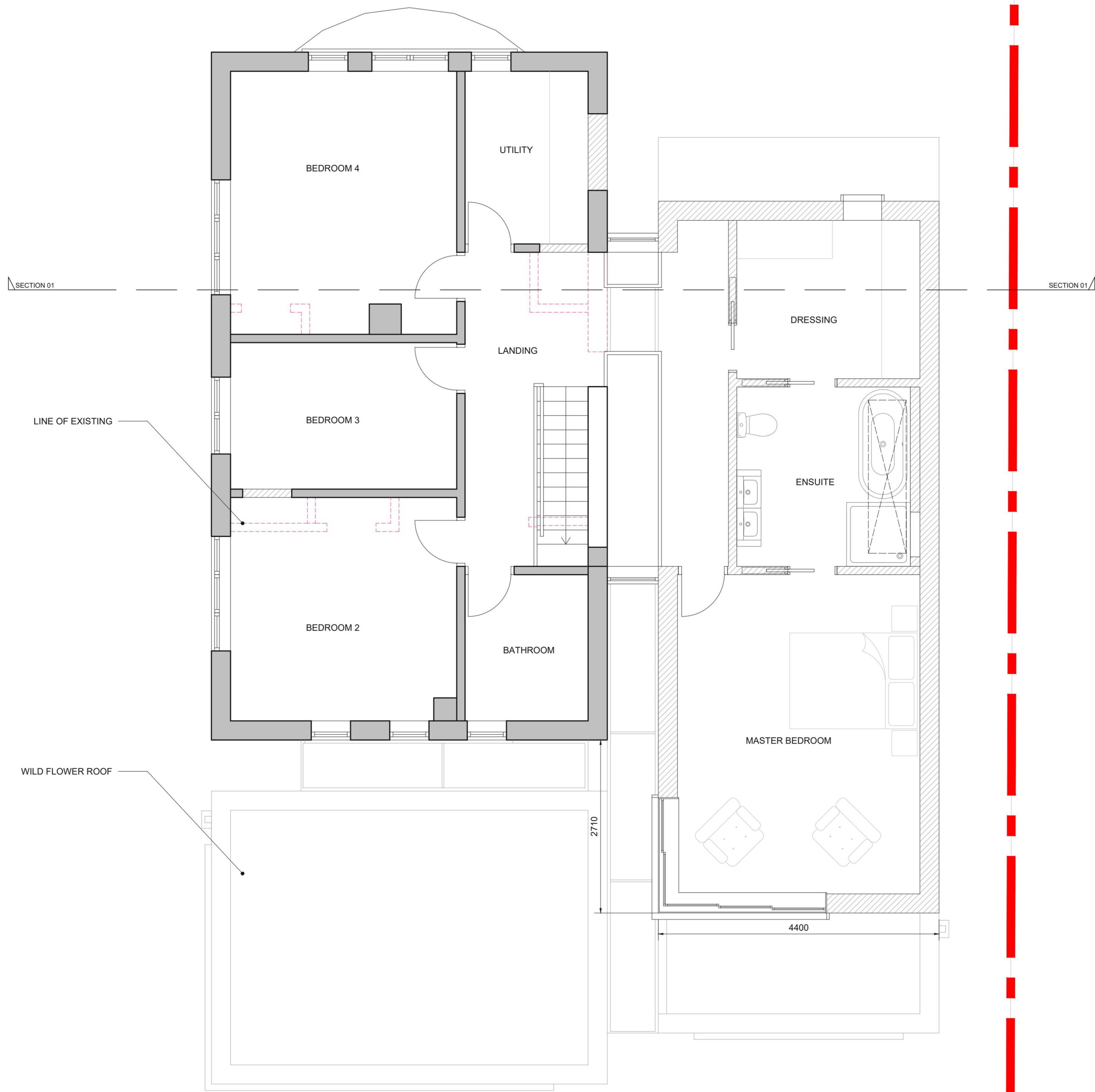
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ADDRESS			
2 Westfield Avenue, Chelmsford, CM1 1SF			
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1:50	04.22	0270 211	P5

method STUDIO

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PROPOSED FIRST FLOOR PLAN

1:50

P5	GENERAL UPDATES	18.07.2022
P4	UPDATED TO PLANNING COMMENTS	15.07.2022
P3	SUBMITTED TO PLANNING	06.05.2022
P2	DESIGN UPDATES FROM CLIENT	05.05.22
P1	FIRST ISSUE	28.04.22
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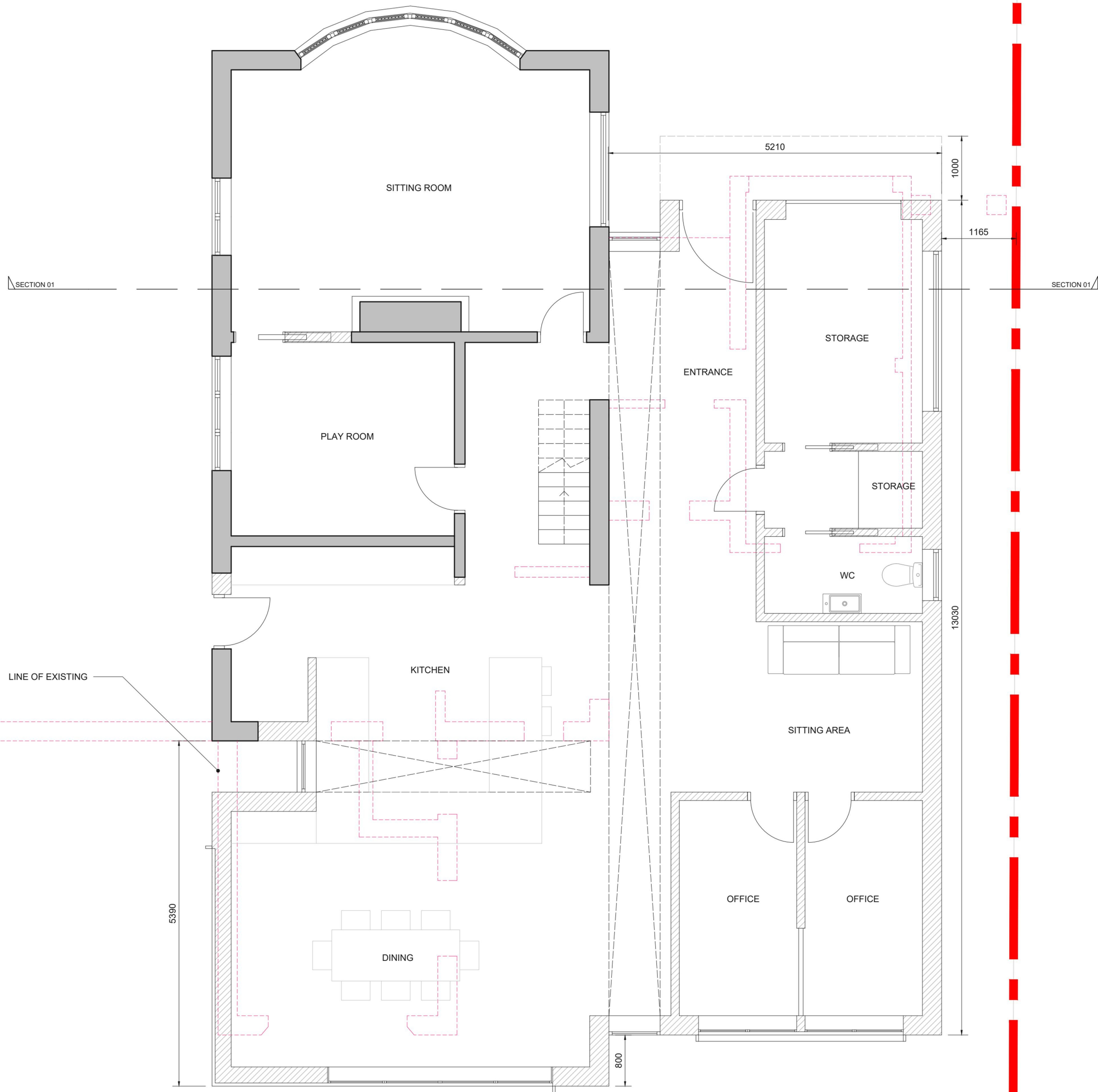
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method STUDIO





PROPOSED GROUND FLOOR PLAN

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P5	UPDATED TO PLANNING COMMENTS	15.07.2022
P4	DIMENSIONS ADDED	17.05.2022
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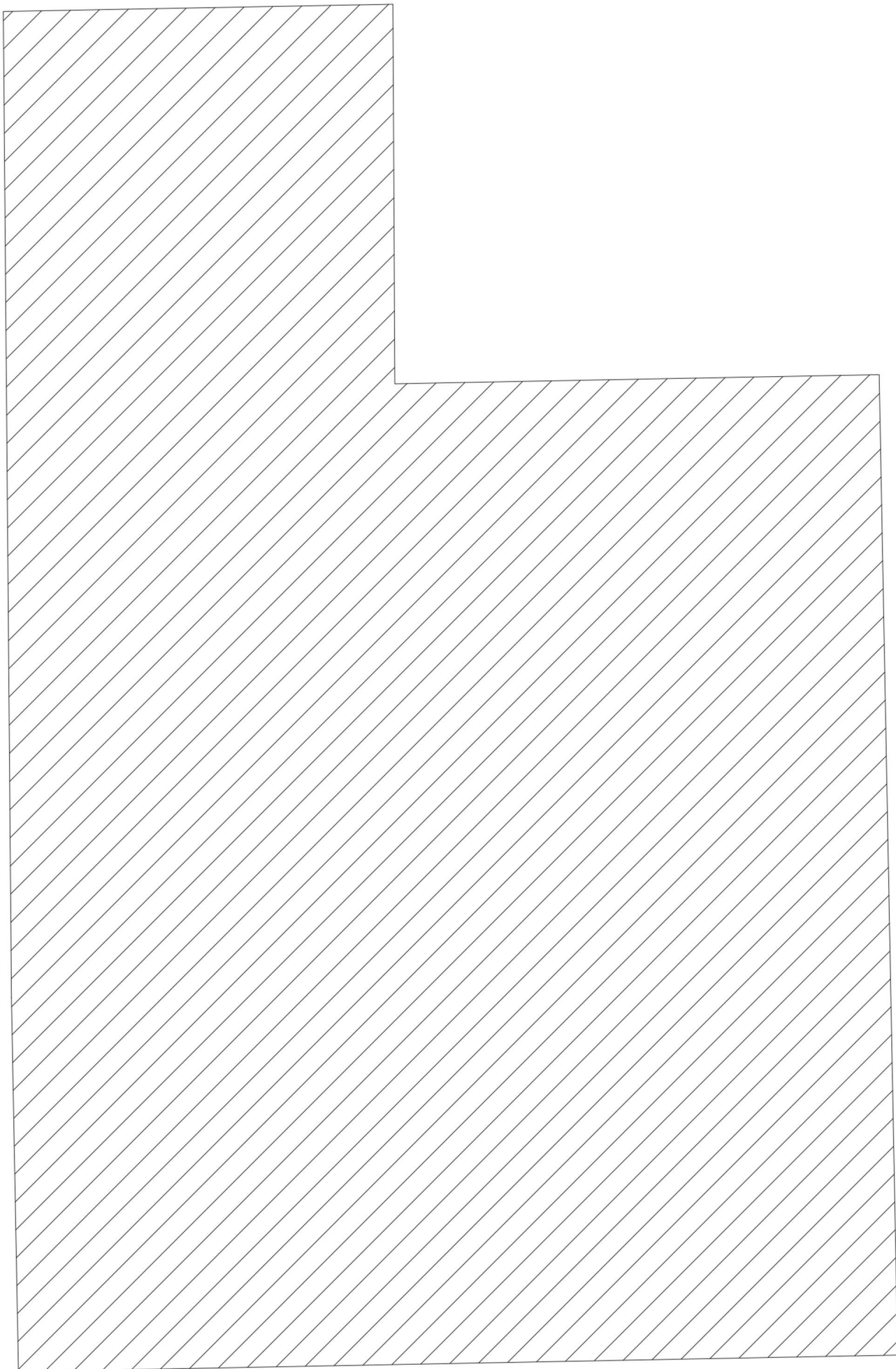
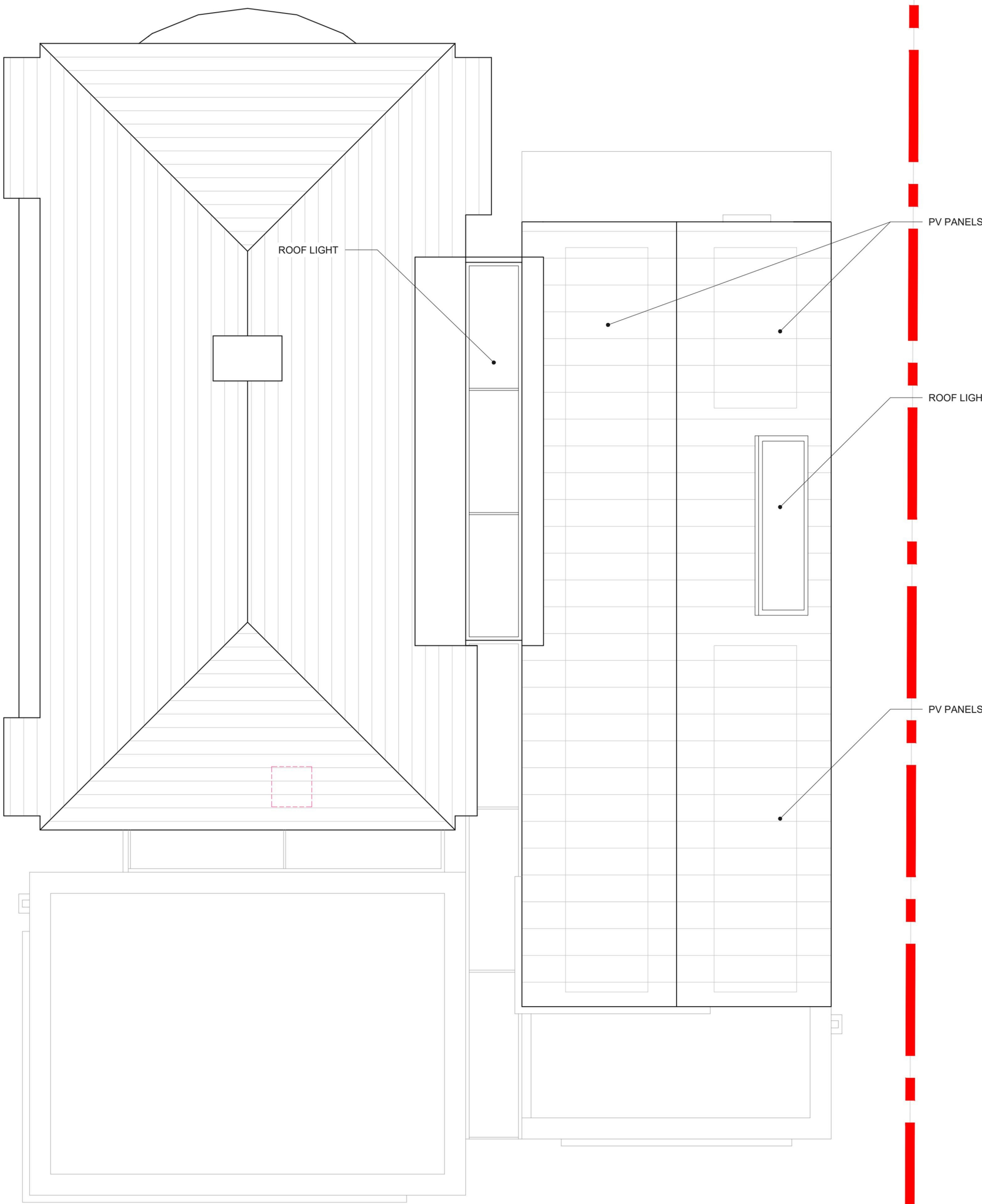
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ADDRESS			
2 Westfield Avenue, Chelmsford, CM1 1SF			
SCALE @ A1	FIRST ISSUED	DRAWING NO	REV
1:50	04.22	0270 110	P5

method STUDIO





PROPOSED ROOF PLAN

1:50

REV	DESCRIPTION	DATE
P4	UPDATED TO PLANNING COMMENTS	15.07.2022
P3	SUBMITTED TO PLANNING	06.05.2022
P2	DESIGN UPDATES FROM CLIENT	05.05.22
P1	FIRST ISSUE	29.04.22

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DRAWING NAME			
PROPOSED ROOF			
ADDRESS			
2 Westfield Avenue, Chelmsford, CM1 1SF			
SCALE @ A1	FIRST ISSUED	DRAWING NO	REV
1:50	04.22	0270 113	P4

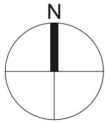
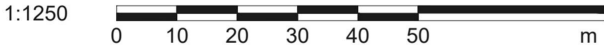
method STUDIO



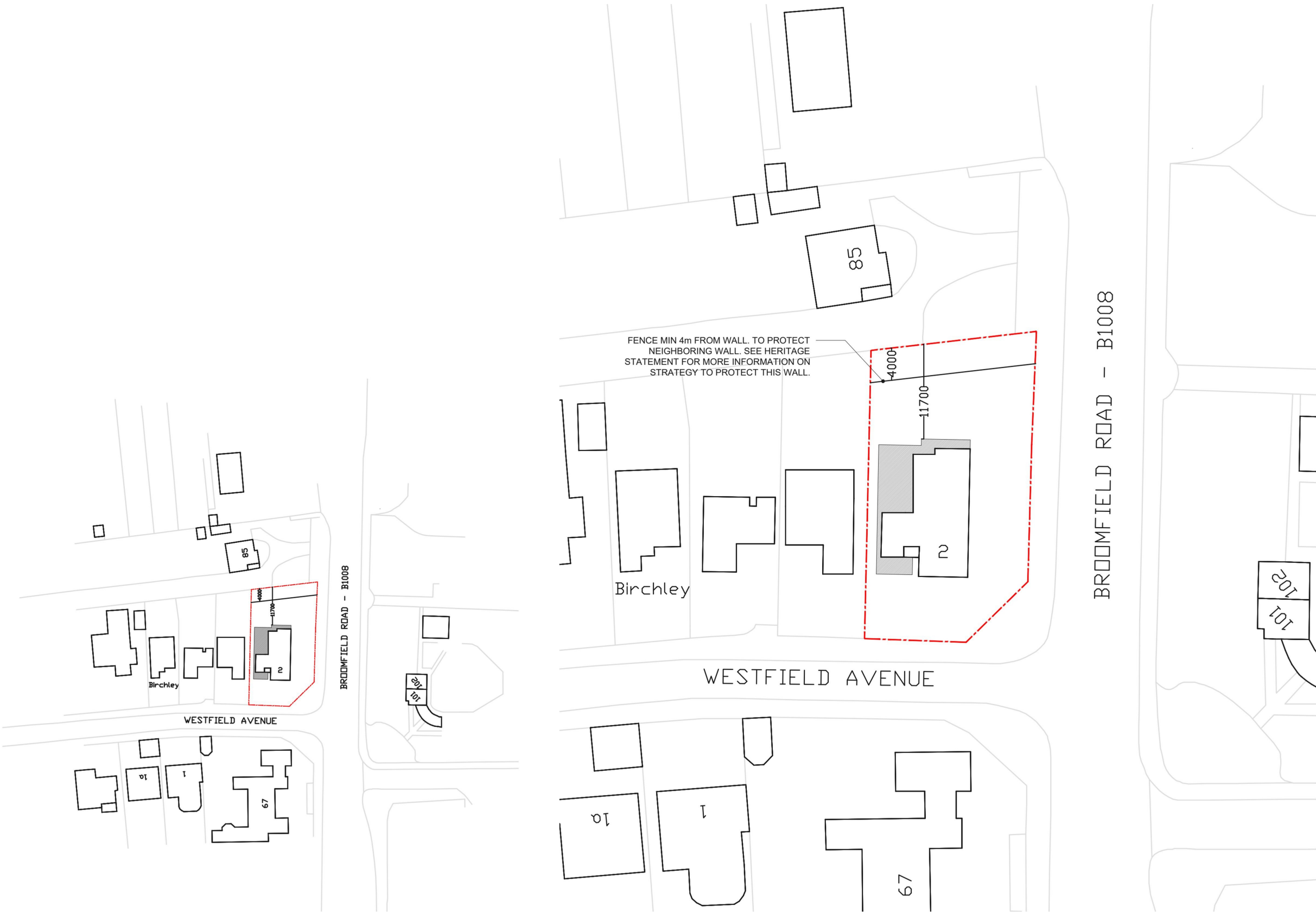
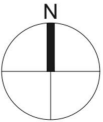
DRAWING NAME			
PROPOSED SECTION & DETAIL			
ADDRESS			
2 Westfield Avenue, Chelmsford, CM1 1SF			
SCALE @ A1	FIRST ISSUED	DRAWING NO	REV
1:50	04.22	0270 310	P1



LOCATION PLAN



PROPOSED SITE PLAN



REV	DESCRIPTION	DATE
P3	UPDATED TO PLANNING COMMENTS	15.07.22
P2	SUBMITTED TO PLANNING	06.05.22
P1	FIRST ISSUE	29.04.22

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Do not scale from this drawing. All dimensions, levels and existing structure must be verified on site prior to commencement. Any omissions or inaccuracies are to be reported and clarified with Method Studio and the client immediately for rectification. These drawings are intended as graphic information only. Due to the age of the premises, non-exposure of the structure, occupancy, building methods & materials used, some assumptions have been made necessary.

Before building work commences it is the responsibility of the builder or owner to serve the relevant Party Wall Notices to all neighbors affected.

DRAWING NAME			
SITE LOCATION PLAN			
ADDRESS			
2 Westfield Avenue, Chelmsford, CM1 1SF			
SCALE @ A3	FIRST ISSUED	DRAWING NO	REV
VAR.	04.22	0270 050	P3