

<p>Item 1 08/00196/FUL</p> <p>58 Victoria Avenue Rayleigh</p>	<p>Rayleigh Town Council</p> <p>Object because the initial indications show that the semi-detached houses do not comply with frontage dimensions quoted in SPD 2 clause No. 7.2. Also no dimensions are quoted for amenity space on drawings.</p> <p>Essex County Council Highways and Transportation</p> <p>No objection to raise, subject to the following heads of conditions:-</p> <ol style="list-style-type: none">1) Visibility splay of 2.4m x site maximum2) 1.5m x 1.5m pedestrian visibility splays3) The driveway to be constructed in bound materials4) Provision within the site of an area for operatives' vehicles and reception and storage of materials during construction5) Provision of wheel cleaning facility during construction6) Access will be required for fire tenders to a point 45m from all parts of the ground floors of the residential buildings. The private drive forming access for fire fighting purposes must be a minimum width of 3.7m wide between kerbs and capable of carrying 12.5 tonnes. <p>Woodlands Section</p> <p>An arboricultural impact assessment to British Standard 5837 has been provided by Hayden's Arboricultural Consultants in support of the application.</p> <p>Trees at this site are protected by a Tree Preservation Order.</p> <p>Plot 8 is in close proximity to protected trees referenced as T10 and T11 shown on drawing No. 12.07.1815.</p> <p>The trees have been categorised by the applicants' consultants as having a British Standard retention rating of B2. This suggests the trees have a distinct role within the local landscape in such a condition to make a significant contribution. Such trees should be retained as part of the development. The trees may require minor tree management to relieve defects. Removal of 4m of crown material and a 30% permanent loss of the root protection area to facilitate development is not acceptable.</p> <p>The arboricultural work will produce a flat-sided crown and a reduction in tree health from excessive crown and root pruning.</p> <p>If the development were permitted the position of the trees T10 and T11 in relation to plot 8 would cause conflict with new occupants. This will lead to unnecessary applications for works to maintain the crown in its proposed state. Furthermore, the position of T10 and T11 will cause excessive shading to the frontage of plot 8. This will result in darkened rooms during summer months.</p> <p>Recommend the application be refused.</p> <p>Rayleigh Civic Society No comments to make.</p>
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Natural England

Refer to previous ecological surveys submitted in support of previous applications, which demonstrate to Natural England's satisfaction that legislative issues surrounding protected species appear to have been adequately addressed. No objections to the proposed development.

11 further letters have been received and which make the following comments and objections in addition to those set out in the report:-

- Semi detached houses in blocks are not in keeping with the surrounding area
- Site map incorrect and differs from our deeds
- Developer proposing to remove T015 which is on our plot
- Developer plans to remove a Hawthorn G002 which straddles the boundary fence and request this fence be suitably replaced
- Concerned at maintenance difficulties for adjoining property due to closeness of the buildings to the site boundary
- Inadequate parking, particularly taking into account overspill for visitors leading to congestion on Victoria Avenue
- Lack of space for gardens or trees
- Loss of existing vegetation
- Will affect neighbourhood environment
- Negatively affect property values
- Concreting to whole frontage to achieve car parking will detract from the setting of the avenue and will be a poor visual aspect of the development
- Loss of view
- Traffic generation, particularly since the opening of Asda and the new St. Nicholas school
- Previous application was acceptable
- Overlooking
- Increased noise levels
- Strain on amenities such as sewerage and water which are already overburdened
- Conflict with access road directly opposite
- Adjoining property has been subject to damage from the preserved tree and question who would become responsible for this tree
- Adverse effect on local wildlife
- Accept building work will take place and pleased to see the removal of the existing bungalow which is a risk to security of adjoining home
- Maximum number of dwellings on this site should not exceed six
- Concern for the safety of children walking this street
- Houses do not show any rear access to allow waste / recycling containers to be stored tidily
- Bin spaces shown will be insufficient
- Would not maintain the existing building line
- Inadequate turning space for the four bungalows
- The history of submissions makes a mockery of local planning consent
- All buildings within ¼ mile of this site are houses

- The preserved trees are too close to the dwellings proposed and will require excessive maintenance.

Officer comment:

In the consideration of the rear garden areas for the proposed bungalows set out at paragraphs 1.28 and 1.29 to the report, the assessment has been undertaken against the Council's requirement for an amenity space of 100 square metres. The bungalows to plots 5 and 8 are, however, two bedroomed and would not be of a size allowing easy sub-division into further bedrooms. In these circumstances the applicant need only provide minimum rear garden areas of 50 square metres for the bungalows to plots 5 and 8 to meet the Council's supplementary guidance and they do comply.

Notwithstanding the previous recommendation, the applicant has responded by amending the layout of the fence lines to remove the previous pinch point between the bungalow to plot 8 and the rear boundary to the proposed houses to plots 1 and 2. The bungalow to plot 8 would retain a rear garden area of 69 square metres. That to plot 5 is 93 square metres. Both these two-bedroomed bungalows would have garden areas in excess of the 50 square metres required.

The revised layout to the gardens to the houses to plots 1 and 2 would measure 88.9 square metres in the case of plot 1 and 92.3 square metres in the case of plot 2. That to plot 3 measures 99.12 square metres but can be corrected by realignment of the fence line, given the surplus of 10 square metres to plot 4.

Council guidance states that exceptions will be made where dwellings would exist adjacent to a substantial area of well landscaped and properly maintained open space. The site adjoins Sweyne Park. The garden areas to plots 1 and 2 are of a useable shape and, given the close proximity of the site to Sweyne Park, officers consider that the shortfall in garden area in respect of these two plots would not conflict with the Council's guidance and amount to a reason for refusal which could be substantiated.

The Town Council comment upon the plot widths in respect of the houses proposed. At the edge of the pavement the frontage would measure 14.2m for plots 1 and 2 and measure 14.1m for plots 3 and 4. This improves to 14.4m for plots 1 and 2 and 14.5m for plots 3 and 4 at the face of the building and short of the plot width set down in Council guidance by 0.85m and 0.75m respectively. As previously advised in paragraph 1.31 to the report, the first floor side space of 1m is not quite achieved for part of the building at the front for plots 1 and 4 with the outside boundaries. However, whilst the plot width is slightly under the 15.25m required for pairs of semi-detached dwellings stated in Council guidance, it is considered that the resultant development would achieve a satisfactory relationship with adjoining buildings in the appearance of the street and that no material harm would arise as a result of these failings, particularly given the gap in the centre of the site access the rear part of it.

	<p>Since the preparation of the report comments have now been received from the Council's Woodlands and Arboricultural Officer, as set out above. In view of the objections raised concerning the adverse effect of the proposed dwelling to plot 8 upon the adjoining preserved Oak Trees, the REVISED RECOMMENDATION is that this Committee resolves to delegate to the Head of Planning and Transportation to REFUSE the application upon expiry of the outstanding site notice notification period for the following reason:-</p> <p>1) The proposal would result in the significant removal of crown material and significant loss of root protection area by way of the close proximity of the proposed bungalow to plot 8 with respect to the two preserved oak trees the subject of Tree Preservation order 26 / 92 and as shown as TO10 and TO11 on the tree constraints plan 12.07.1815 submitted in support of the application and referred to in the accompanying "Tree Survey and Arboricultural implications assessment " dated 18 December 2007. If granted, the arboricultural work required by way of the excessive crown and root pruning to enable the development would produce a flat sided crown to both Oak trees and a resulting reduction in tree health which would adversely affect the longevity of those preserved trees and their contribution to visual amenity in the longer term. Furthermore, such a reduction on one side of the crown would alter the naturally occurring mechanical stresses of those preserved trees. This would increase susceptibility to mechanical failure and the loss of those trees. In addition the trees would naturally attempt to recover the lost growth resulting in conflict by way of shading to the proposed dwelling to plot 8 resulting in nuisance and interference with the building, leading to further tree work applications to maintain the crown in its proposed state, resulting in the potential loss of the preserved oak trees to the detriment of visual amenity they afford to the street scene.</p>
<p>Item R2 08/00053/FUL</p> <p>Land rear of 11 – 15 Trinity Road, Rayleigh</p>	<p>The Council's Woodland Officer confirms they consider the current application a significant improvement over the previous refused scheme 07/00377/FUL in terms of tree impacts and retention, in particular Preserved Tree T1 is also now retained. Hence the conclusion that no objection is raised in terms of tree impacts.</p> <p>That said, the report before Members is erroneous in that not all Preserved Trees are to be retained.</p> <p>The Council's Environmental Specialist confirms that there is not a Protected Animal set on the site but that it is a foxes earth.</p>