

**14/00576/OUT****LAND KNOWN AS BROCKSFORD GREEN, BROCKSFORD AVENUE, RAYLEIGH****OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR RESIDENTIAL DEVELOPMENT CONSISTING OF SIX DWELLINGS****APPLICANT: ROCHFORD DISTRICT COUNCIL****ZONING: RESIDENTIAL****PARISH: RAYLEIGH****WARD: LODGE****1 PLANNING APPLICATION DETAILS**

- 1.1 This application is to be heard by the Development Committee as the applicant is Rochford District Council.
- 1.2 Outline planning permission is sought by Rochford District Council to erect six dwellings. All matters including layout, scale, appearance, means of access and landscaping are reserved for consideration at a later date in a reserved matters application, which would follow if outline planning permission were approved. Were outline planning permission to be granted, a reserved matters application must be made within three years of the consent (or a lesser period, if specified by a condition on the original outline approval). The details of the application must be in accordance with outline approval, including any conditions attached to the permission.
- 1.3 The matters for determination in this outline application are therefore the principle of residential development of the site and the acceptability of the quantum of development proposed, namely six dwellings.

**2 THE SITE**

- 2.1 The site is located in a built up residential area consisting of semi detached bungalows dating from the 1950s. It is comprised of an open space located between Copford Avenue and the end of the Brocksford Avenue cul de sac. There is a footpath connecting the two roads adjacent to the eastern side of the site (not specifically defined as a Public Right Of Way on the ECC Definitive Map). The western side of the site shares a boundary with the site of the Rayleigh Lodge public house, a Grade II listed building. The Rayleigh Lodge site contains 16 trees subject to a Tree Protection Order (49/08),

however these trees are sited away from the application site and the two nearest trees to the site (T8 horse chestnut and T9 yew) are approximately 20m from the site boundary.

- 2.2 The site is broadly rectangular in shape with an approximate length of 70m, a maximum width of 26m and an area of approximately 0.17ha. The ground is level. There are some small trees on the site and some larger specimens alongside the border with the Rayleigh Lodge site, which are not considered to be of significant amenity interest. The majority of the site is presently a grass open space.

### **3 RELEVANT PLANNING HISTORY**

- 3.1 The site is contained within the Copford Park Estate for which the following application relates:-

RAY/62/53 Erection of 62 Bungalows. Approved 19 October 1954.

- 3.2 The following application was specific to the site:-

ROC/86/80 Outline application to erect four bungalows (Wiggins Homes Limited). Refused 26 November 2014 for the following reasons:-

1. The proposal would result in a loss of an attractive area of public open space, which forms an integral part of the adjoining residential area.
2. The development of the site would deprive the local residents of a valuable recreation and amenity area within easy walking distance of a large number of dwellings and where there is considered to be a shortage of public open space.

### **4 CONSULTATIONS AND REPRESENTATIONS**

#### **RAYLEIGH TOWN COUNCIL**

- 4.1 Object to this development as it is an over-development with loss of amenity land and insufficient parking.

#### **NEIGHBOUR CONSULTATION**

- 4.2 43 objections have been received from the occupants of the following dwellings:-

Brocksford Avenue -1, 5, 6, 7, 9, 13, 14,15, 21, 20, 22, 26, 30, 32, 34, 36, 37, 43, 57, 59, 63

Copford Avenue - 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 19, 21, 24, 39, 43

York Road – 10

High Road – 76

Albany Road – 7

Chase End – 11

The Chase – 85

Warwick Gardens - 23

Three further objections have been received from unknown addresses.

The comments made in the objections are:-

- o Our little piece of green space
- o Taking green space away and cramming housing into small space
- o Lovely piece of open land full of birds and wildlife
- o Land given to residents for recreational space
- o Encroachment into the fabric of what makes the area a great place to live
- o Access to close outdoor space a great benefit
- o Rochford Council making a huge mistake in developing such a treasured area
- o Both of these roads in Rayleigh are both narrow and poorly maintained
- o Parking at premium on narrow roads
- o As it is all the cars which park in the road (and there are very many) have to park partly on the pavement, as if they did not, an ambulance or fire engine would have great difficulty in getting along.
- o Difficult to drive off existing driveways
- o More traffic would add to road damage and pot holes
- o The area also suffers badly whenever there is excessive rain and there is minor flooding in the area. Imagine what additional damage may ensue when 6 dwellings are built?
- o Properties become flooded in torrential rain
- o Green acts as natural soakaway
- o Flood risk to properties in area due to underground spring and pond on the green

- o Chalet style dwellings would not be in keeping with one storey bungalows
- o Pathway would become enclosed/narrow corridor
- o Road will become unattractive to residents
- o Vague and unresearched planning application at a time of growing deterioration of the communities living environment
- o Shortsighted and maybe financially motivated move by a few
- o Upheaval of building work
- o Original covenant states houses should be built facing road

## **5 MATERIAL PLANNING CONSIDERATIONS**

- 5.1 The Local Planning Authority must determine the proposal in accordance with the adopted Development Plan which includes saved policies in the Rochford District Replacement Local Plan (2006) and the Rochford District Core Strategy (2012), taking account also of any other relevant planning policy and other material planning considerations.

### **Principle of Residential Use**

- 5.2 The site is within an area allocated as existing residential development in the Council's Allocations Document; therefore the principle of the use of the site for residential purposes is acceptable.

### **Layout and Scale**

- 5.3 Policy H1 to the Council's adopted Core Strategy primarily seeks to resist the development of smaller sites within residential areas but limited infilling can be acceptable where it would relate well to the existing street pattern, density and character of the locality. In this case the layout, although indicative, shows the formation of two sets of terraces of three dwellings. One set is orientated towards Copford Avenue and shares the building line of Nos. 2 to 8 Copford Avenue but forward of No. 10 and onwards. The other set of three would be orientated towards the footpath between Copford Avenue and Brocksford Avenue and at a right angle to adjacent dwellings. The front elevation would face towards the side of the site of 36 Brocksford Avenue.
- 5.4 The six dwellings would equate to a density of 35 dwellings per hectare, which is considered to be an appropriate density for new development in this locality.
- 5.5 In accordance with SPD2, a 1m side isolation space should be achieved in order to prevent the coalescence of dwellings. The indicative plans indicate

that a 1m isolation distance between the side elevation of each end terrace and the respective side boundaries would be achieved.

- 5.6 SPD2 also requires that new dwellings that have two bedrooms, provided that the second bedroom cannot be sub-divided, shall have a minimum garden area of 50 square metres and that larger homes should have a minimum area of 100 square metres. The indicative layout for the site provides for a total of 300 square metres for each of the two sets of the terraces and thus, subject to the precise location of the boundary treatments which can be dealt with at the reserved matters stage, would enable each dwelling to have a rear private garden area of 100 square metres.
- 5.7 The exact height of the proposed dwellings is also a matter reserved for determination at a later Reserved Matters stage. However a maximum height of 6.5m has been given, which is not considered to be overbearing upon the neighbouring dwellings.
- 5.8 In terms of the quantum of development proposed it is considered that the site could reasonably accommodate the six dwellings that are proposed.
- 5.9 The principle of chalet style dwellings is not objectionable, given that the locality consists principally of bungalows, many of which have had accommodation created within the roof space through the addition of dormers.

#### **Highways and Access**

- 5.10 Vehicular access to the site is a matter to be determined at the Reserved Matters planning stage. The proposed layout indicates that each of the three dwellings on Copford Avenue would have independent vehicular access and the three Brocksford Avenue dwellings would share an off-street parking area accessed from the end of the cul de sac.
- 5.11 The parking standards require that if a property has two or more bedrooms, a minimum of two on site parking spaces would need to be provided to the preferred bay size of 2.9m x 5.5m. Two of the three dwellings on Copford Avenue would have sufficient area forward of the dwellings to provide two spaces, however the end dwelling, closest to No.10, would only have sufficient area for one space. The off road parking area accessed from Brocksford Avenue could accommodate an additional space for this dwelling, as well as two spaces for each of the three dwellings in the other terrace and two visitor spaces. Although no layout plan for this parking area has been submitted this area is of sufficient size to accommodate nine spaces at the preferred bay standard. This could be arranged such that seven spaces, each of 5.5m x 2.9m, could be provided at 90 degrees to the boundary with the end terrace with a one metre gap between the end bay and the Rayleigh Lodge boundary to allow additional space for entry/exit of people. Two visitor/disabled spaces could be accommodated parallel to the southern boundary with each space measuring 6.5m x 3.9m. Between these two sets of

spaces would be a 6m manoeuvrability area in accordance with the approved parking standards.

### **Refuse**

- 5.12 Rochford operates a three bin scheme with one 240 litre wheeled container provided to collect dry recyclables, one 180 litre wheeled container for residual waste and a third wheeled container for green and kitchen waste. The four end terraces have a one metre separation to the boundary, which would allow storage of these bins either to the side of or to the rear of the dwellings. The two mid terrace dwellings would not have such access and thus the bins would need to be stored in the front garden area. In order not to create a visual blight within the street it is considered necessary to provide a means of enclosure for the bins at these two dwellings and this can be required by imposing a condition.

### **Residential Amenity**

- 5.13 The three dwellings proposed for the Copford Avenue frontage would not have a significantly adverse impact on neighbouring amenity. There would be sufficient separation between the eastern end dwelling and the existing dwelling at No.10 such that a new dwelling would not overshadow the dwelling.
- 5.14 The position of the three dwellings at the Brocksford Avenue end of the site would be close to the bungalow at No. 36 and the rear garden of this dwelling may be overlooked from any first floor front windows of the proposed dwellings. The design of the proposed dwellings is a consideration at the Reserved Matters stage and any potential for overlooking of private areas can be adequately addressed at this stage.

### **Open Space**

- 5.15 Policy HP18 of the Local Plan and SPD2 at section 16 seek to retain amenity areas that make an important contribution to estate design and layout and where neglect is not a cause for concern.
- 5.16 Policy CLT5 of the Core Strategy also seeks to protect existing amenity areas and open space that have a high townscape value or are intrinsic to the character of the area.
- 5.17 Policy DM3 of the Development Management Submission Document also requires infilling to consider the loss of important open space, which provides a community benefit and visual focus in the street scene.
- 5.18 The proposal would result in an area of green space that has existed since the development of the estate in the 1950s. A number of local residents have objected to the proposed development, expressing concern about the potential loss of this green space and argue that the existence of this space for sixty years has been a valuable amenity for local residents.

- 5.19 It is noted that there is a larger area of open space and woodland at the end of Grove Road within 450m walking distance of the site. This area provides woodland walks, playing pitches, a children's play area, sports pavilion and a BMX track. This area also links to the Cherry Orchard Jubilee Country Park. It is considered that this area represents a significantly greater amenity asset than the application site.

### **Other Considerations**

- 5.20 Policies H6 and ENV9 of the Core Strategy relate to Lifetime Homes and Code for Sustainable Homes standards. The six dwellings would be expected to comply with the requirements of these policies and a planning condition is therefore recommended in respect of these matters.
- 5.21 Emerging policy DM4 requires new dwellings to meet minimum habitable floor space standards and achieve a good internal layout. As scale is not a matter to be determined at this outline stage, detailed floor plans for the proposed dwellings do not need to be provided; this policy is therefore something that a detailed Reserved Matters application would be assessed against. If this emerging policy is adopted at the time of consideration of a future Reserved Matters application the proposal would be required to comply with the policy requirements; there is no reason why six dwellings could not be proposed, which meet the minimum habitable floor space standards at this site.
- 5.22 There are no other emerging policies in the Development Management Submission Document, which should be given some weight in the determination of the application given the advanced stage of consideration, which would result in a different view being taken as to the acceptability of this proposal.

## **6 CONCLUSION**

- 6.1 It is considered that the residential use of the site for the development of six dwellings would be acceptable in principle.

## **7 RECOMMENDATION**

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

That planning permission be **approved** for the development, subject to the following conditions:-

- (1) Plans and particulars showing precise details of the layout, scale, landscaping and appearance of the site (herein after called the 'Reserved Matters') shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. All development at the site shall be carried out in accordance with the 'Reserved Matters' details approved.

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- (2) Application for approval of all 'Reserved Matters' referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of three years from the date of this outline planning permission. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
  - (3) No development shall commence before details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
  - (4) Prior to commencement of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular accesses. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.
  - (5) None of the dwellings hereby permitted shall be occupied before provision has been made within the site for:-
    - a) two parking spaces for each dwelling with a minimum bay size of 2.9m x 5.5m.
    - b) two visitor/disabled parking spaces with a minimum bay size of 5.5m x 3.9m (6.5m x 3.9m if arranged parallel/end to end)

In accordance with details (including materials) which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the parking areas shall be retained and maintained in the approved form and used for the parking of vehicles and not for any other use (incidental or otherwise) which would impede vehicle parking.
  - (6) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
  - (7) Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
  - (8) Prior to commencement of development hereby permitted details of the proposed surface material for the driveways to each property shall be



submitted and agreed in writing by the Local Planning Authority. The details shall be for a porous or permeable surface material, unless it is demonstrated that this would not be appropriate at the site, in which case means of preventing surface water flow onto the highway from the driveway shall be proposed. Once agreed, the driveways shall be constructed in accordance with the agreed details.

- (9) Prior to the commencement of works on site the applicant shall indicate in writing to the Local Planning Authority an area within the curtilage of the site for the reception and storage of building materials clear of the highway.
- (10) Prior to commencement of development hereby approved details to demonstrate compliance of the dwellings against the Lifetime Homes and Code for Sustainable Homes Level 4 Standards shall be submitted to and agreed in writing by the Local Planning Authority. The dwellings shall then be built in accordance with the details as agreed.
- (11) No development shall commence before plans and particulars showing precise details of an enclosed area for refuse storage at each of the mid terrace dwellings and a suitable area for refuse bin storage to the side and rear of the other dwellings has been agreed in writing by the Local Planning Authority.



Shaun Scrutton

Head of Planning and Transportation

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### **Relevant Development Plan Policies and Proposals**

Rochford District Replacement Local Plan 2006; Policy HP6

Supplementary Planning Document 2: Housing Design Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

Policies H1, H6, HP18, CP1, ENV9, T1 and T8 of the Core Strategy.

Policies DM1, DM2, DM3 and DM4 of the Development Management Submission Document

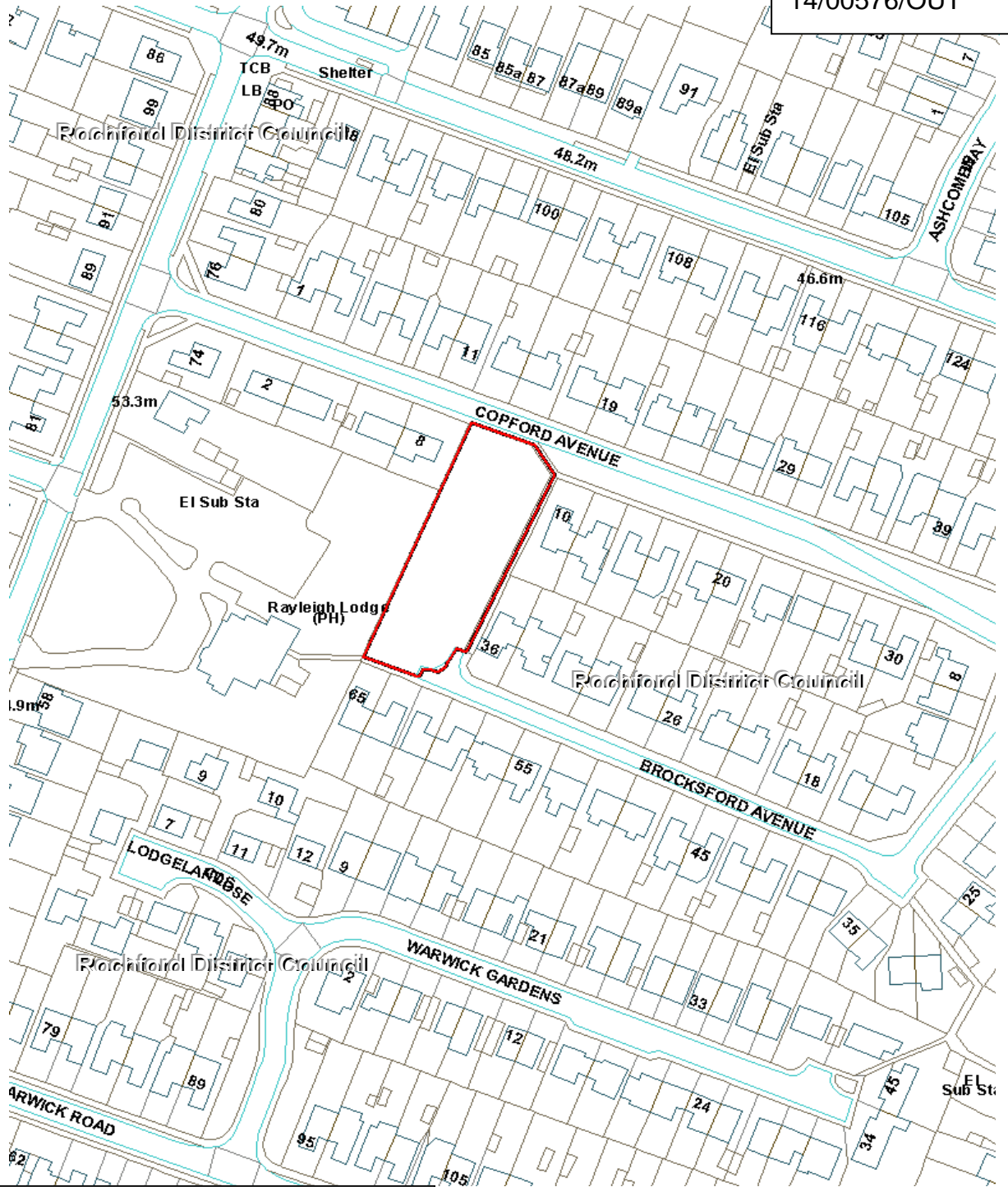
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