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**17/00070/OUT**

**LAND BETWEEN 7 AND 13 CAGEFIELD ROAD,  
STAMBRIDGE, SS4 2BE**

**PROPOSED DEVELOPMENT OF 3 NO. SELF-CONTAINED  
FLATS WITH ASSOCIATED PARKING AND LANDSCAPING**

**APPLICANT: ROCHFORD DISTRICT COUNCIL**

**ZONING: RESIDENTIAL**

**PARISH: STAMBRIDGE PARISH COUNCIL**

**WARD: ROCHE NORTH AND RURAL**

## **1 PLANNING APPLICATION DETAILS**

- 1.1 This application is to be considered by the Development Committee as the applicant is Rochford District Council.
- 1.2 Outline planning permission with all matters reserved is sought for a development of 3 No. self contained apartments with associated parking, soft and hard landscaping areas.
- 1.3 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.
- 1.4 The matters for determination in this outline application are therefore only the principle of residential development of the site and the acceptability of the quantum of development proposed, namely three flats. To assist, a number of indicative plans are submitted to illustrate how the site could accommodate the quantum of development proposed.

## **2 THE SITE**

- 2.1 The site is located within the settlement of Stambridge. The site is a vacant plot of land located on the southern side of Cagefield Road.
- 2.2 The site is broadly rectangular in form with a width of 14m, an average depth of 22m and an area of 306.5m<sup>2</sup>. The land is flat and presently laid to grass.

- 2.3 The site sits between a two storey residential development. To the west is a block of four flats (Nos. 1, 3, 5 and 7 Cagefield Road) and a semi-detached dwelling (13 Cagefield Road). Opposite the site is a block of eight flats. The remainder of the properties on Cagefield Road are pairs of two storey semi-detached houses. To the rear are semi-detached houses on Ash Tree Court.

### **3 RELEVANT PLANNING HISTORY**

- 3.1 There is no relevant planning history pertaining to this site.

### **4 CONSULTATIONS AND REPRESENTATIONS**

#### **Neighbour Consultation**

- 4.1 Representations have been received from the following 2 addresses:-

Ash Tree Court 43, 45 which in the main make the following points:-

- Will ruin the quiet enjoyment of our land;
- Possible over looking and blocking of light and views of new position of apartments;
- Tenure type; and
- General unspecified poor design, noise and disturbance, loss of light, loss of views, trees and vegetation.

### **5 MATERIAL PLANNING CONSIDERATIONS**

- 5.1 The proposed development has to be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy adopted December 2011, the Allocations Plan adopted February 2014 and the Development Management Plan adopted December 2014.

#### **Principle of Development**

- 5.2 The Rochford District Council Local Development Framework Allocations Plan (Adopted 25 February 2014) forms part of the Development Plan for Rochford District. The Allocations Plan superseded the proposals map that accompanied the 2006 Replacement Local Plan. The majority of the site was allocated existing residential development in the Local Plan and is now white land, without formal designation, in the Allocations Plan. Residential use would therefore be appropriate.

- 5.3 The proposed new dwellings are to be located within the residential area of the Stambridge settlement and therefore, in principle, residential development here is considered acceptable. The NPPF supports the careful redevelopment of existing residential gardens to avoid inappropriate development. The NPPF goes on to encourage good design to ensure local character is improved and the overall quality of the area. New development should ensure outstanding design to generally raise the standard of built form within the area. Policy H1 of the Core Strategy states that:-

"in order to protect the character of existing settlements, the Council will resist the intensification of smaller sites within residential areas. Limited infilling in accordance with policy DM3 will be considered acceptable, and will continue to contribute towards housing supply, provided it relates well to the existing street pattern, density and character of the locality".

### **Design**

- 5.4 Policy CP1 of the Core Strategy seeks to achieve good, high quality design within proposals that have regard to local flavour. The detailed design would be considered at reserved matters stage, but it would be advisable for the applicant to follow principles of good design as set out in the Essex Design Guide and Supplementary Planning Document 2 referenced in Policy CP1. Notwithstanding that this application is in outline form the applicant has submitted plans including a layout, elevational and floor plan drawings.
- 5.5 The indicative plans provide for a design that provides for a two storey building with the appearance of a pair of semi-detached dwellings, typical of Cagefield Road, with elevational treatment consisting of a combination of brick work, render, pitched roofs and appropriate fenestration.
- 5.6 The front and rear elevations would be staggered in relation to the built form either side to adapt to the appearance of the street scene and to retain a similar back to back relationship with the dwellings on Ash Tree Court to the rear.
- 5.7 The indicative ground floor plan indicates a two-bed flat with the first floor providing a pair of one-bed flats.
- 5.8 Four parking spaces are indicated in front of the building with 2 spaces provided for the two-bedroom flat and 1 each for the one-bedroom flats in line with policy. On each side of the parking spaces there would be pedestrian access leading to a front door. Bin storage would be provided in recessed areas set within the side elevations. A shared usable amenity area of 85m<sup>2</sup> would be provided to the rear of the building. This would be in accordance with the 25m<sup>2</sup> of shared space per dwelling required by SPD2.

### **Residential Amenity**

- 5.9 It is considered that a development of three flats could be accommodated within the site that would not result in detrimental impact upon the occupiers

of neighbouring properties by way of causing excessive overshadowing, as a result of being overbearing or causing overlooking and loss of privacy. Window positioning and boundary treatment would require consideration at reserved matters stage to ensure no unacceptable overlooking.

- 5.10 The indicative plans show the upper floor living rooms to the rear of the building proposed, and which would be located some 16.4m from the rear of housing to Ash Tree Court backing onto the site and much less than the 35m distance required by the Essex Design Guide to maintain reasonable privacy between opposing neighbouring windows between existing and flatted development. This distance, however, compares favourably with 17m between windows to those dwellings in Ash Tree Court and the neighbouring flats at No. 1, 3, 5 and 7 Cagefield Road, which have been in existence for many years. Furthermore, as the submitted plans are only indicative, the format could be altered to provide the upper floor bedrooms to the rear giving a more conventional bedroom to bedroom relationship more typical to housing layouts. As such no material objection can be raised against the proposal on loss of privacy grounds.

#### **Other Matters**

- 5.11 There is no concern relating to the proposal with regard to ecology as the site is considered unlikely to support any protected species and there are no trees of any merit.
- 5.12 The site is within Flood Zone 1 (Lowest Risk) where residential development would be acceptable.
- 5.13 The Ministerial Statement of 25 March 2015 announced changes to the Government's policy relating to technical housing standards. The changes seek to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard. From the date the Deregulation Bill 2015 was given royal ascent, 26 March 2015 to 30 September 2015, the Government's policy is that planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency. Rochford District Council has existing policies relating to all of the above, namely access (Policy H6 of the Core Strategy) , internal space (Policy DM4 of the Development Management Plan) and water efficiency (Policy ENV9 of the Core Strategy) and can therefore require compliance with the new national technical standards, as advised by the Ministerial Statement (March 2015).
- 5.14 Until such time as existing Policy DM4 is revised, this policy must be applied in light of the Ministerial Statement (2015), which introduced a new technical housing standard relating to internal space standards. Consequently all new dwellings are required to comply with the new national space standard, as set

out in the DCLG Technical Housing Standards - nationally described space standard March 2015. Compliance with the national minimum space standard would be a matter for detailed determination at the reserved matters stage.

- 5.15 Until such time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015), which introduced a new technical housing standard relating to water efficiency. Consequently, all new dwellings are required to comply with the national water efficiency standard, as set out in part G of the Building Regulations (2010) as amended. A condition is recommended to require compliance with this Building Regulation requirement, were the application considered to be otherwise acceptable.
- 5.16 Policy ENV9 requires all new dwellings to achieve Code Level 4 of the Code for Sustainable Homes as a minimum. Although the Code is no longer applicable the Ministerial Statement relating to technical standards has not changed policy in respect of energy performance and a condition is recommended to require that any new dwelling achieves the requirements of the energy performance requirements of part L of the Building Regulations (2010) as amended.

## 6 CONCLUSION

- 6.1 In determining this application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The principle for the development of a block of three flats in this location is considered to be in accordance with local and national planning policy. There is not considered to be a justification to refuse outline planning permission.

## 7 RECOMMENDATION

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

That planning permission be approved, subject to the following recommended conditions:-

- (1) No development shall commence before plans and particulars showing precise details of layout, scale, design, external appearance, access and landscaping of the site (herein after called the "Reserved Matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

REASON: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character of the locality.

- (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 planning permission. The development hereby permitted shall be begun before the expiration of three years from the date of this permission or two years from the date of the final approval of "Reserved Matters", whichever is the later.

REASON: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

- (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.

REASON: To enable the Local Planning Authority to retain adequate control over the appearance of the building, in the interests of amenity.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties and proximity of residential neighbours, the sourcing of high quality materials is fundamental to the success of the development and must be considered prior to works occurring.

- (4) Prior to first use of each dwelling hereby approved, two parking spaces for the two-bed flat and one parking space for each one-bed flat, measuring 5.5m x 2.9m for each dwelling, shall be provided within the site and shall be retained and used solely for the parking of vehicles..

REASON: In order to ensure adequate parking provision.

- (5) All dwellings at the site must comply with the 'Technical Housing Standards - Nationally Described Space Standard' by the Department for Communities and Local Government dated March 2015.

REASON: In order that the development achieves compliance with the national technical standard relating to internal space in light of existing policy DM4 of the Development Management Plan (2014) and the advice contained in the Ministerial Statement 2015 in the interests of providing good quality and sustainable homes.

- (6) Part G (water efficiency) of the Building Regulations (2010) shall be met for each dwelling on the site and be permanently retained thereafter.

REASON: In order that the development achieves compliance with the national water efficiency standard as set out in the Building Regulations in

light of existing policy ENV9 of the Core Strategy and the advice contained in the Ministerial Statement 2015.

- (7) Part L of the Building Regulations 2010 in respect of energy performance shall be met for the dwellings.

REASON: In order that the development achieves compliance with the energy performance aspect of Part L in light of existing policy ENV9 of the Core Strategy and the advice contained in the Ministerial Statement 2015.



Assistant Director, Planning & Regeneration Services  
Matthew Thomas

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

H1, H5, H6, CP1, ENV9 and T8 of the Core Strategy (2011)

DM1, DM2, DM3, DM4, DM25, DM27 and DM30 of the Development Management Plan (2014)

Supplementary Planning Document 2

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

Allocations Plan Policies Map 2014

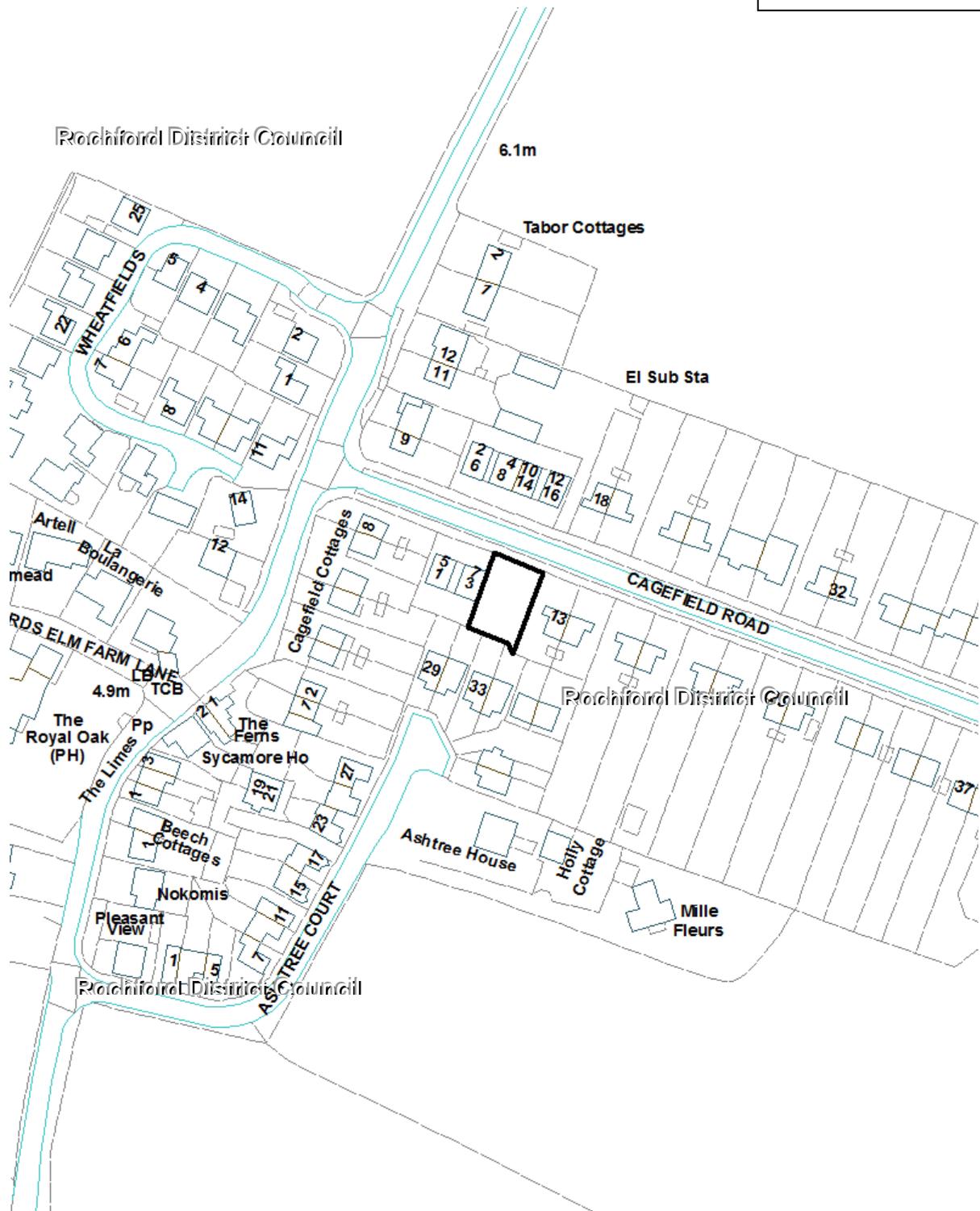
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