

14/00887/FUL

4 HIGH STREET, RAYLEIGH

CONVERSION OF EXISTING OUT BUILDING TO CREATE A ONE-BEDROOMED DWELLING, RE-ROOF PART AND PROVIDE NEW PITCHED ROOF TO SINGLE STOREY PART. NEW VEHICULAR ACCESS OFF BELLINGHAM LANE

APPLICANT: MR ROGER JONES, WESTLANDS FARM DEVELOPMENTS

ZONING: TOWN CENTRE

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List No. 1271 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Wednesday, 11 February 2015 with any applications being referred to this meeting of the Committee. The item was referred by Cllr J L Lawmon.

The item that was referred is appended as it appeared in the Weekly List, together with a plan.

1 NOTES

- 1.1 The site is located within the town centre and Conservation Area of Rayleigh and consists of a detached dwelling, two detached out buildings (one has now been demolished via application reference 14/00714/DEMCOM) with yard and garden area. The dwelling fronts directly onto the High Street and the site also has a brick walled boundary with Bellingham Lane so the site extends from the High Street at its eastern end to Bellingham Lane at its western end.
- 1.2 To the north of the site is the detached Grade II listed building at No.1-5 Church Street, which received planning permission in 2012 to change the use of the building from B1 (office) to three dwellings (reference 12/00632/FUL). Also to the north is the Conservative Club at No. 7-9 London Hill, which is located on the corner of Bellingham Lane and London Hill and a 3 storey block of flats with office use at ground floor at No. 3-5 London Hill (known as

The Forge) on the corner of London Hill and Church Street. Both the Conservative Club and the Forge front London Hill/Church Street with parking to the rear. To the south of the site is No. 6 High Street, which is occupied by the estate agents Rona and fronts the High Street with parking to the rear and Rayleigh Motorist Centre, which is a single storey pitched roofed industrial unit fronting Bellingham Lane with parking area/yard to the front. To the western side of Bellingham Lane, opposite the site, are semi-detached and terraced properties, most of which have consent for residential use through various planning permissions over the last five years, although some commercial use does remain.

- 1.3 The proposal includes conversion of the two storey out building to the northern boundary of the site. No alterations are proposed to the main dwelling at No. 4 as part of this application; its access from the High Street would be retained. Some external alterations would occur to allow for the conversion of the out building to a dwelling including a new pitched roof to an existing flat roofed addition, window and door changes to existing openings and the inclusion of fixed timber cladding. The plans also show that the existing tiled roof to the out building is intended to be reinstated. In order to provide access to the converted out building a new opening would be formed within the existing brick wall to Bellingham Lane.

2 PLANNING HISTORY (since the 1990s)

- 2.1 14/00716/FUL - Erection of Two Semi-detached 3-Bed Houses and Conversion of Existing Out Building From Storage to Residential to Create 1No. 1-Bed Dwelling, Vehicular Access off Bellingham Lane. REFUSED for the following reason:-

The proposal for two semi-detached 3-bedroomed dwellings, by virtue of the design sought using an incongruous mansard form of roof and a three storey flat roofed projection to the rear with a bland expanse of walling to the side elevations in a block form, the excessive height and scale forming a large block of development and the position of the development back from the road frontage, is considered to be contrary to parts vi), viii) and x) to policy HP6 of the Local Plan 2006, policy CP1 of the Core Strategy and paragraphs 17, 131 and 132 of the National Planning Policy Framework.

It is considered that the design, scale and positioning as referred to above would not accord with the good, high quality design sought within policy CP1 of the Core Strategy and to paragraph 17 (core planning principles) of the NPPF. The site with its historical brick wall and soft landscaped edge currently adds positive value to the appearance of the Conservation Area. The positioning of the dwellings would not reinstate traditional character to this part of the Conservation Area and the design, scale and positioning would not enhance character to this part of the Conservation Area within a street which already suffers from negative views as highlighted within figure 47 of the Rayleigh Conservation Area Appraisal and Management Plan 2007. This would result in a proposal that would have a detrimental impact upon the

character and appearance of the Conservation Area, generating significant harm to the character of the heritage asset, and the visual amenity of Bellingham Lane.

The current proposal only considers the conversion of the existing out building with no proposal within the current application for the construction of new dwellings.

2.2 14/00714/DEMCOM - Demolition of single-storey, flat-roofed former dentist's surgery out building to rear of main house. DEEMED CONSENT.

2.3 RAY/89/50 - New dental surgery and WC. APPLICATION WITHDRAWN.

3 MATERIAL CONSIDERATIONS

3.1 The history of the use of the out building the subject of this application is unknown. It is assumed that it either acted as an ancillary building to the residential dwelling at No. 4 or it was ancillary to a possible dental surgery that appears to have existed to the rear of the site in the now demolished outbuilding.

Conservation Area and Design

3.2 The dwelling at No. 4, out building and brick walling fronting Bellingham Lane are not listed buildings although they are located within the Rayleigh Conservation Area. The building to the north of the site is a Grade II listed building (No.1-5 Church Street). No. 4 is a locally listed building and it is described in the Local List Supplementary Planning Document 2013 as follows:-

This building is considered to be of excellent quality and is locally distinctive. It is situated in the Rayleigh Conservation Area and should be included on the revised list.

3.3 Paragraph 10.61 of the Rayleigh Conservation Area Appraisal and Management Plan 2007 (RCAAMP) describes Bellingham Lane in the following way: 'long views from south to north lack any focal point, the diminishing scale of the buildings creating a disappointing effect' and paragraph 10.71 as follows: 'the ATS tyre business occupies a Fletton brick shed fronted by a spacious forecourt. Both this business and Berry's arcade animate what is otherwise a fairly lifeless series of buildings. Beyond the ATS yard is a walled garden with a row of pollards belonging to No. 4 High Street, and then the Conservative Club car park. 'At figure 47 of the RCAAMP Bellingham Lane looking north is considered to have a negative view within the Conservation Area. Therefore, any proposed works need to enhance this area of the Conservation Area, particularly to a site which offers one of the few remaining positive visual aspects of Bellingham Lane with a brick wall, trees and soft landscaping present.

- 3.4 The proposed conversion of the out building in design terms is not considered objectionable, subject to a planning condition requiring details of the materials to be agreed as per the advice of the ECC Conservation Officer and retention of some features present on the building.

Layout

- 3.5 For one-bedroomed dwellings a minimum private garden area of 50m² is required. The area to serve the remaining dwelling at No. 4 and the out building would equate to 176m² (not including the area required for parking by No. 4). The suggested segregation between the garden areas of these two properties would be acceptable and would accord with the area requirements within SPD2.
- 3.6 Limited detail has been provided with regard to proposed soft and hard landscaping; this should be controlled by planning condition. Whilst some details around materials have been referred to in the application form, more detail should be required by planning condition.
- 3.7 Policy DM4 of the Development Management Submission Document 2013 (unadopted) refers to the need for new dwellings to adhere to minimum habitable floor space standards. Policy DM4 requires 1-bedroomed flats to provide 51m². The proposed 1-bedroomed dwelling would provide 51m² in accordance with this criteria. It is not considered appropriate to apply policy DM5 relating to light pollution to a proposal for an out building conversion to a single dwelling.

Impact on Neighbouring Properties

- 3.8 Whilst the existing house and out building would have views of each other's properties and windows, such views are not considered objectionable and the buyers of each property would be aware of the close relationship.
- 3.9 Any future windows to the rear elevation of the building would have the potential to generate unacceptable overlooking and future insertions should be controlled by planning condition.

Parking and Highways

- 3.10 The new access point would be onto a one way street. Whilst a busy street it also has relatively slow moving traffic and there are already several accesses onto Bellingham Lane including an access to the neighbouring Conservative Club car park, which has the same visibility issue as that proposed. On this basis ECC Highways advised in relation to the previous proposal for 2 new dwellings and the out building conversion that they did not object to the proposed new access. However, they did object to the gates that were shown on the previous plans as this would result in people queuing to enter the site causing a highway safety concern within Bellingham Lane. Therefore, the proposal is considered acceptable but on the basis that no gates are provided

to the access controlled by planning condition. Other planning conditions previously suggested by ECC Highways can be imposed where reasonable.

- 3.11 The Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010 require that for dwellings with one bedroom a minimum of one space should be provided off street per dwelling. Such spaces should measure 2.9m x 5.5m. The proposed conversion of the existing out building would have a parking space accessed from Bellingham Lane. The existing dwelling would retain parking to the side of the property. The parking spaces to the side of No. 4 would meet the necessary bay size length of 11m, but the width would narrow from 3m to 2.4m towards the rear of the property. However, this has always formed the parking arrangements for this property and it is considered that this is acceptable and would generate two useable parking spaces for this property.
- 3.12 The parking area to serve the out building conversion would provide a parking space and a turning circle to enable vehicles to exit the site in forward gear. The proposed parking space would meet the bay size criteria. Whilst not located in the most easily accessible location for this dwelling, it would still provide a parking space to serve the occupiers. The turning area would be sufficient to ensure that a vehicle could exit the site in forward gear. The dwelling should provide secure covered cycle parking for occupiers on site, which could be controlled by planning condition. Due to the siting of public car parks close to the site visitor parking is not considered necessary on site.

Trees and Ecology

- 3.13 To the front of the site are four pleached lime trees which add visual interest to the street scene of Bellingham Lane. The previous application did not supply a tree report; the current application submits such a report produced by an arboriculturalist. This identifies two of the four lime trees for removal and explains that they are generally in healthy condition. It also identifies an apple tree in a central position on the site. There is no reason for this to be removed within the current proposal. The tree report concludes that protection of the three remaining trees could sufficiently occur and this should be controlled by planning condition.
- 3.14 The ECC Arborist considers that the loss of the lime trees is not great, and provided that new tree planting is undertaken, their removal is acceptable. It is considered that there is capacity for replacement tree planting to occur to the frontage behind the brick wall to enhance the vegetation on this edge and to replace those trees that would be lost. For this reasoning, the proposed removal is not considered objectionable, subject to a condition requiring other instant impact trees to be planted at the site frontage.
- 3.15 The bat survey submitted confirms that no evidence of bats were found during a survey of the site.

Other

- 3.16 It is not considered reasonable to require compliance with the Lifetime Homes Standard for the existing out building to be converted to a dwelling. Policy UT2 of the Local Plan 2006 requires the development to connect to mains sewerage, which is confirmed would be the case within the application form submitted with the application.
- 3.17 ECC Archaeology advised as part of the previous application for 2 new dwellings and the out building conversion that it is possible that medieval and post-medieval archaeological deposits survive in this area and suggested a planning condition be imposed regarding further investigative work. It is not considered that this would be necessary prior to conversion of the out building but for any ground works proposed to form the turning area/parking spaces such a condition should be imposed.

4 REPRESENTATIONS

- 4.1 RAYLEIGH TOWN COUNCIL - No objection, subject to the preservation of the existing wall as this site is in the Conservation Area.
- 4.2 ECC CONSERVATION - Comments as follows:-
- The application seeks to convert an existing out building to form a one-bedroom property. This proposal formed part of application 14/00716/FUL and was considered acceptable in principle. I would reiterate this and confirm that I have no objection to the proposed conversion, subject to the condition that the proposed new brick and tile to be used is submitted and approved prior to the commencement of works.
 - I would also reiterate the advice offered by Paul Skeet, that the existing close-boarded external doors be retained at ground and first floor level, either as shutters or permanently fixed open. This will allow the building to retain its ancillary character in its new use.
- 4.3 ECC ARBORICULTURE - Comments as follows:-
- I have no further comments to make other than those made previously concerning the proposed new vehicle access to the rear of the site. Previous comments given below:-
 - A number of low quality trees are growing in the rear garden of the property, only viewable from Bellingham Lane. The trees consist of a purple-leaved plum, domestic apple and a line of x4 pleached limes (as depicted in the attached photo), various evergreen shrubs border the rear garden and there are a few, small conifers growing in the garden too.
 - The proposed erection of the two semi-detached houses would not have a direct adverse impact on vegetation in, or adjacent to, the site. However, the vehicular access proposed to the rear of the site will necessitate the

removal of one or more of the pleached limes trees. I am of the opinion the loss of the lime trees is not great, and I consider provided that, new tree planting is undertaken, their removal is acceptable.

4.4 NEIGHBOURS - One response received (Rayleigh Motorist Centre, Bellingham Lane) which can be summarised as follows:-

- Vehicle and pedestrian access is unsafe.
- Bellingham Lane is a very narrow lane, extremely busy with deliveries to many businesses throughout the day.
- The rear access proposed will cause highway safety problems at the narrowest point of the lane, poor sight, vision from the entrance, and create impact on traffic flow to Bellingham Lane and Crown Hill, which is already congested at the best of times; there is already evidence of this, as any local motorist can attend too.
- There is no footpath on this side of the lane and opposite is a lowered kerb, motorists frequently mount the pavement, pass parked and queuing vehicles, to turn left onto London Hill.
- The proposed rear access is dangerous, especially to the many pedestrians that use Bellingham Lane.

5 RECOMMENDATION

5.1 It is proposed that the Committee **RESOLVES**

That the application be approved, subject to the following conditions:-

- (1) SC4B Time Limits Full - Standard
- (2) 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. The existing close boarded doors at ground and 1st floor level shall be retained.
- (3) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no window, door or other means of opening shall be inserted above first floor finished floor level on the rear elevation of the converted out building hereby permitted.
- (4) No development shall commence before plans and particulars showing precise details of the hard and soft landscaping which shall form part of the

development hereby permitted have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details, as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:-

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted, including instant impact trees visible from Bellingham Lane;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- paved or otherwise hard surfaced areas

shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

- (5) During the course of works to undertake the development hereby approved, tree protection shall occur to the three trees to be retained in accordance with the details within the arboricultural report dated 12 November 2014 by Andrew Day Arboricultural Consultancy.
- (6) No ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- (7) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (8) Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.5 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate vehicular crossing.
- (9) At no point shall gates be provided at the vehicular access. The access shall remain open and free for use in perpetuity.
- (10) Prior to occupation of the development details of a vehicular turning facility shall be submitted to and approved in writing by the Local Planning Authority.

Once agreed, such vehicular turning facility shall be constructed, surfaced and maintained free from obstruction within the site at all times and used for that sole purpose prior to occupation of the development.

- (11) Prior to occupation of the development hereby approved 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 first use of the development hereby approved and shall be retained in the agreed form.
- (12) Prior to occupation of the development hereby permitted, details of secure covered cycle parking for occupiers of the building shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed, such cycle parking shall be implemented on site prior to occupation of the development.

Relevant Development Plan Policies and Proposals

H1, H5, H6, CP1, CP2, CP3, ENV9, CLT5, CLT7, T1, T3, T8, RTC4, of the Rochford District Council Core Strategy 2011

DM1, DM3, DM4, DM5, DM7, DM25, DM30 of the Development Management Submission Document 2013 (unadopted)

Parking Standards Design and Good Practice December 2010

Local List Supplementary Planning Document 2013

Rayleigh Conservation Area Appraisal and Management Plan 2007

Allocations Plan Policies Map 2014

REASON FOR DECISION AND STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the adopted Development Plan and all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.



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If you would like this report in large print, Braille or another language please contact 01702 318111.

