

**12/00418/FUL**

**SITE: LAND REAR OF 24 & 26 STAMBRIDGE ROAD  
ROCHFORD**

**APPLICANT: MR R WILSON**

**ZONING: RESIDENTIAL**

**PARISH: ROCHFORD PARISH COUNCIL**

**WARD: ROCHFORD**

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

This application was included in Weekly List no.1147 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Wednesday, 22 August 2012, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs G A Lucas-Gill

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

**1 NOTES**

- 1.1 This application is to the site to the rear of Nos. 24 and 26 Stambridge Road opposite the junction made with Malting Villas Road. The application site has been sub-divided from land that was previously part of the gardens belonging to the bungalows at No. 26 and No. 24 Stambridge Road. No. 26 lies unoccupied and is in need of renovation. No.24 has been re-furbished with a flat roofed rear extension and detached garage and is now occupied.
- 1.2 The site to which the application relates comprises a narrow frontage onto Stambridge Road giving access to a wider area of land behind the frontage development and having an average depth of 20m and a width of 27m. The site is relatively flat and with a weed covering having been cleared earlier this year.
- 1.3 The site is contained by panel fencing sited on concrete gravel boards to 1.8m in height with Nos. 24 and 28 Stambridge Road and 1.87m in height with No. 22 Stambridge Road.

**2 RELEVANT PLANNING HISTORY**

- 2.1 Application No. 12/00315/FUL
- 2.2 Sub-divide Plots and Construct One Three-Bedroomed Bungalow with Attached Garage with Access to Side of No. 26 Stambridge Road. Form New Vehicular Crossing and Parking to Front of No. 26 Stambridge Road.
- 2.3 Application Withdrawn.
- 2.4 The site was also previously part of a greater site comprised from Nos. 24 and 26 Stambridge Road to which a number of applications were made for re-development to form flats. These previous applications were refused planning permission with one also dismissed on appeal.

**3 PROPOSAL**

- 3.1 Planning permission is sought to sub-divide the plots and construct one three-bedroomed bungalow, forming an access to the side of No. 26 Stambridge Road and forming a new vehicular crossing and parking to the front of No. 26 Stambridge Road. The proposed bungalow would be of a hipped roofed design.
- 3.2 The proposed bungalow would have an overall ridge height of 5m but with lower crossing wing roofing to an overall height of 4.1m. The bungalow would have a walling eaves height of 2.4m.
- 3.3 The bungalow would be finished in face brick work and either clay or concrete pantiles. Precise details of colour and texture of the external finishes are not provided.

**4 MATERIAL PLANNING CONSIDERATIONS**

- 4.1 The site is within an area allocated for existing residential development in the Council's saved Local Plan (2006).
- 4.2 Paragraph 53 to the National Planning Policy Framework (2012) states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.
- 4.3 The principle of the more intense development of the site would accord with policy HP1 to the saved Local Plan and Policy H1 to the Council's adopted Core Strategy (2011). The intensification, by way of sub-division of the existing plot, is an accepted principle provided the resultant development would be of a suitable scale and design in character with the site surroundings.
- 4.4 Council guidance requires a plot width to each new house of 9.25m. The site measures to an average width of some 23.8m. The proposal would exceed

Council guidance on plot width and side isolation boundaries. The proposed bungalow would be provided with a private amenity area of 256 square metres. The retained dwelling at No. 24 Stambridge Road has a rear garden area of 151 square metres and that shown to be retained to No. 26 Stambridge Road would measure 102 square metres. Each of the garden areas exceeds the minimum 100 square metres required by Council guidance.

- 4.5 The street is predominantly comprised of houses, several chalet-style bungalows and bungalows. These properties are of a relatively modest size, but with deep and large gardens.
- 4.6 The proposed bungalow is to be constructed to the rear of No. 24 and No. 26 Stambridge Road, of which both are bungalows. The proposed bungalow would be sited at 90° to the rear of these properties, facing north and not directly overlooking the rear windows of adjoining properties.
- 4.7 The proposed bungalow is designed such that the west elevation would be 8.65m in width, whilst the east elevation would be 12.3m in width. The widths seen to the neighbouring properties are of a similar width to the existing bungalows. It is considered that the proposed bungalow is of a suitable design, scale and form that would not be out of character with the neighbouring dwellings and would have a good relationship with nearby buildings.
- 4.8 The proposed bungalow would be sited 2.7m from the boundary with No. 24 Stambridge Road and increases in width due to the plot shape of this property. The proposed bungalow would be sited 6.25m from the boundary with bungalows backing onto the site fronting Mornington Avenue.
- 4.9 The access to the proposed bungalow would be to the northern side of No. 26 Stambridge Road. The access road would be 2.7m in width; this exceeds the minimum width required for a drive serving a single dwelling in accordance with Essex Design Guide. It should also be mentioned that a refuse vehicle would not enter the drive as the dwelling is sited more than 25m from the highway, thus a bin collection point would need to be within this or the refuse bins moved to the kerbside for collection. This arrangement is acceptable for a single dwelling. The access arrangement would be acceptable in that single household movements would not represent intensification in activity likely to give rise to unreasonable levels of noise fumes and activity harmful to the amenity of adjoining residents.

- 4.10 The application details show that a vehicle crossing would be provided to the existing dwelling No. 26 Stambridge Road and the front forecourt area provided for the parking of two cars. Although opposite the junction to Malting Villas Road as well as adjoining neighbouring crossings each serving the individual dwellings adjoining the site, the County Highway Authority has no objection to raise against any likely traffic conflict on the highway network. Consequently, the proposed and existing dwelling would both be provided with off street parking adequate to serve the dwellings to which the application relates.
- 4.11 The proposed dwelling would have three bedrooms; therefore it is necessary that two parking spaces are provided clear of the highway. Drawing 1B shows two parking spaces would be provided and is in accordance with Parking Standards (adopted 2010).
- 4.12 A Chilean pine tree, the subject of Tree Preservation Order 22/07, is sited on the boundary of the site with No. 28 Stambridge Road some 5m from the dwelling proposed. The Council's consultant arboriculturalist considers the proposed siting of the bungalow to be sufficiently away from the tree so as not to have an adverse effect, but it would be necessary to condition the provision of the protective fencing about the tree root protection area to be provided for the duration of the construction period.

## **5 REPRESENTATIONS**

### **Rochford Parish Council**

- 5.1 Object on the basis that back land development is contrary to current planning regulations. The proposed vehicular crossing and size of the parking area to the front of No. 26 would mean that vehicles would have to reverse onto Stambridge Road.

### **Rochford District Council consultant Arboriculturalist:**

- 5.2 Advises that the Chilean pine tree on site is protected by TPO 22/07. If permission is granted it should be subject to: - Condition: Place protective fencing a distance of 5m around the tree before works on site commence and retain in place until the development has finished.

### **London Southend Airport:**

- 5.3 Have no safeguarding objections. Advise that if a crane or piling rig is required to construct the proposed development, this will need to be safeguarded separately and, dependent on location, may be restricted in height and may also require full co-ordination with the Airport Authority.

**Neighbour Letters**

5.4 Six letters have been received from the following addresses :-

Stambridge Road: 16, 22, 24, 28, 30, 34.

And which in the main raise the following comments and objections:-

- Concern with the development being out of character with the surrounding properties.
- Concern that applicant has not mentioned what he proposes to do with the derelict bungalow except for parking spaces outside, having a major impact along the road as many vehicles already park along this stretch of road, making it quite dangerous getting out of our driveway as the view is restricted.
- Concern over an access road running along garden fence as this would cause car fumes and noise pollution. As children play in the garden daily it is a worry for their health.
- Applicant has recently had the back area of 26 cleared with a small machine, which has damaged a gravel board along the boundary and causes fear for our children's safety as much larger machinery would be needed and could cause much worse damage, if not injury.
- Concern over loss of privacy to garden, for potential future loft extension and overlooking from upstairs windows.
- Concern over access road being too narrow for delivery vehicles and parking on Stambridge Road partially parking across neighbour's crossover.
- Over-development of what used to be well maintained family gardens; all properties on this stretch of Stambridge Road have long gardens.
- Concern over future applications for similar back land development as a precedent has been set.
- Concern that plans show boundary runs through Chilean pine tree to the gardens of No. 26 and No. 28. Concern that the fence applicant previously erected was put in the wrong place to move the boundary line.
- Concern over parked cars to the front of No. 24 close to the access drive for the new bungalow would bring the access at the footpath down to 2.7m, which would make it difficult for vehicles to access and egress the property.
- Concern over the installation of a raising main in the back garden; this fails to provide access for a fire appliance as fires are never tackled direct from a hydrant due to insufficient water pressure; a pump is always required. If a

fire was at the proposed development there would be an acceptable delay in tackling the fire as the appliance would be parked in Stambridge Road and the hose would have to connect from the hydrant at the proposed development out to the appliance and then the hose would run out to the bungalow, which is double what would normally be required, putting the lives of the occupants at risk.

- Concern over increase in noise pollution.
- Concern relating to the parking arrangements to the proposed bungalow and No. 26. There is also concern over the external access to the rear of No. 26, as there will be no access to the rear garden apart from through the interior of the property.
- Concern over narrow access in order to transport building equipment as well as creating noise and disruption to the immediate neighbouring properties.
- Concern that damage would be done to the bungalow as it forms the boundary wall of the access road.
- Driveway leads to a very busy main road, which is in close proximity to the junction with Malting Villas Road and overhanging trees/buses etc at the front of properties to the north of the proposed access, together with a slight bend in the road further along, can make it difficult to see traffic approaching from the north of Stambridge Road. As there are already cars parked, on a daily basis, in front of number 26 and the neighbouring properties, by drivers trying to avoid parking charges within the centre of Rochford, it makes it difficult to pull out into Stambridge Road anyway and a potential accident spot.
- Concern of impact the proposed bungalow will have on sewage system.
- No other property has a home in the back garden.
- Any building in planning application could be extended into three floor levels, overlooking our property and other neighbours.
- Noise, light and general nuisance caused by change of use of garden.
- Concern over dust caused through ignoring the building line and adding to the problems of waste disposal.
- Developer has shown no consideration for existing residents by leaving the site in a complete mess. The developer should concentrate on tidying up the mess made of the existing bungalow, and return the garden area that has been fenced off to its intended use.
- Concern over position and size of bungalow within the plot is such that it will appear hemmed in by its multiple neighbours.

- Concerned the planned sub-division of the plot will greatly restrict the options and potential to develop No. 26, which loses a large garden area thus having limited space to extend the living accommodation to meet modern standards.
- Concern over parking provision of just two spaces and the crossover to be installed would be the full width of bungalow No. 26 meaning a continuous dropped kerb and will be dangerous to pedestrians.

## 6 RECOMMENDATION

### 6.1 It is proposed that the Committee **Resolves**

To approve the application, subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 No development shall commence before the submission of all external facing and roofing materials to be used in its construction 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.
- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B and/or Class C 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 dormers shall be inserted, or otherwise erected, within the roof area (including roof void) on all elevations of the dwelling hereby permitted.
- 4 Two vehicular hard standings (1 for each plot) having minimum dimensions of 2.9m x 5.5m for each vehicle shall be provided, together with appropriate dropped kerb vehicular crossings of the footway/highway verge, which are tight/in line with the parking area.
- 5 No unbound material shall be used in the surface treatment of the vehicular access within 6m of the highway boundary.
- 6 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 parking of operatives' vehicles and the reception and storage of building materials clear of the highway.
- 7 Prior to the 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 as may be agreed shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

- 8 Prior to the commencement of the development the developer shall provide the tree protection measures and Heras style protective fencing to the extent of the Root Protection Area (not less than 5m from the trunk of the tree) as shown on Drawing No. DMG/12/023a and in accordance with the recommendations set out in the tree report accompanying the application submissions, as received on 7 July 2012. Within this fenced area there shall be no storage of equipment, building materials or change in ground levels.

### REASON FOR DECISION

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.



Shaun Scrutton

Head of Planning and Transportation

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### Relevant Development Plan Policies and Proposals

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011)

CP1

Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5th June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

HP6

Rochford District Council Supplementary Planning Document 2 Housing Design (January 2007)

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

C3



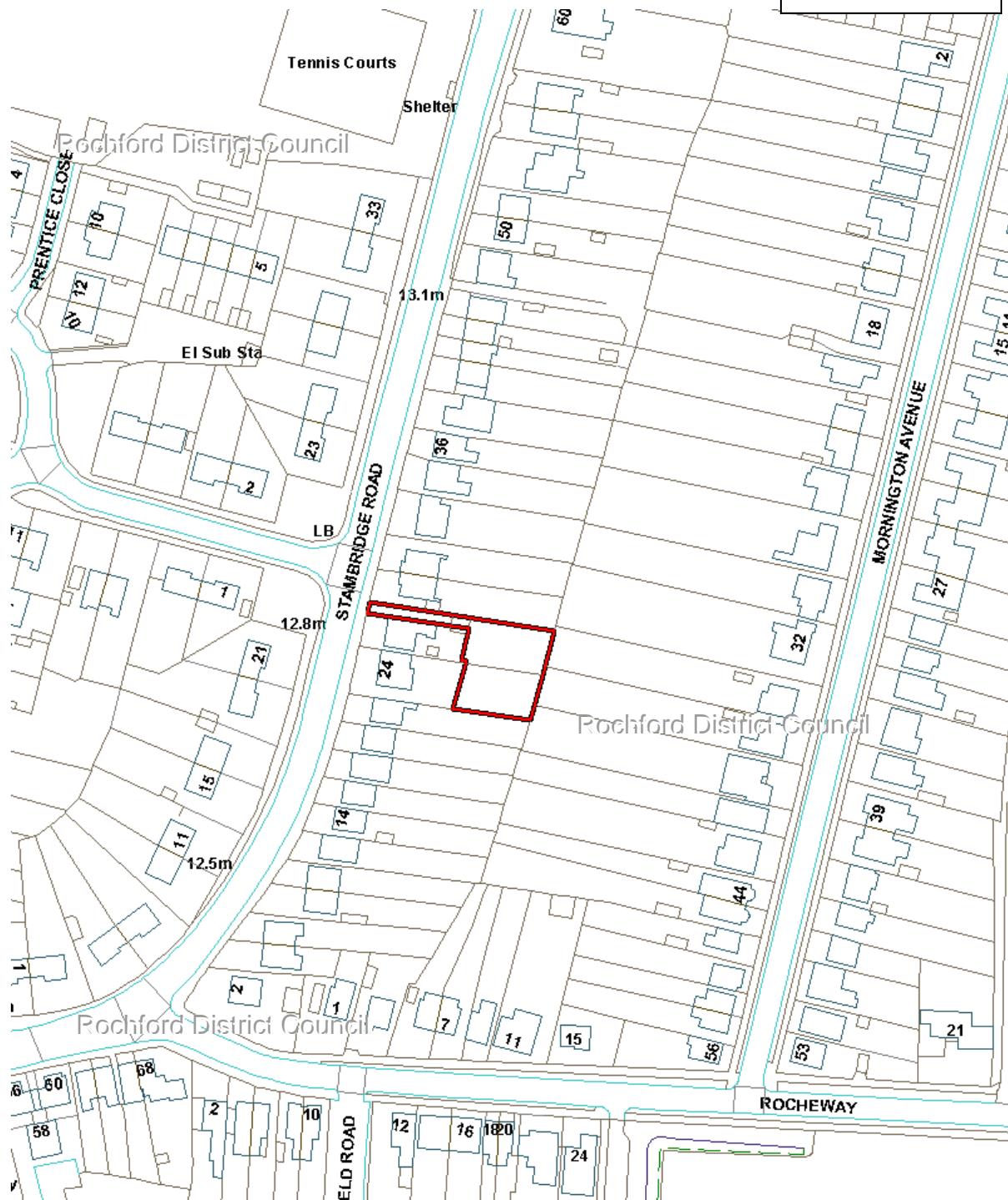
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