
12/00777/FUL

49 SOUTHEND ROAD HOCKLEY

DEMOLISH EXISTING BUNGALOW AND CONSTRUCT THREE STOREY BUILDING CONTAINING 6 NO. TWO-BEDROOMED FLATS. FORM PARKING, REFUSE COLLECTION POINT AND AMENITY AREAS AND CONSTRUCT CYCLE STORE. NEW VEHICULAR ACCESS FROM SOUTHEND ROAD.

APPLICANT: MR NEIL COCHRAN

ZONING: RESIDENTIAL

PARISH: HOCKLEY PARISH COUNCIL

WARD: HOCKLEY CENTRAL

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

This application was included in Weekly List no. 1179 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Wednesday, 10 April 2013, with any applications being referred to this meeting of the Committee. The item was referred by Cllr K H Hudson.

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

1 NOTES

- 1.1 Planning permission is sought for the demolition of an existing bungalow and to construct a three storey building containing six, two-bedroomed flats with parking, refuse collection point and amenity areas at 49 Southend Road, Hockley. A bungalow and detached garage are present on site with a hard standing surfaced area to the front to accommodate the parking of vehicles and a grassed area to the rear. To the west of the site are two shop units (No. 51 and 53) and an access road to a Council car park. To the east a commercial unit can be seen and a dental practice (No. 47 and 45). To the immediate south of the site are a social club and doctor's surgery and residential properties beyond on Woodpond Road.

THE PROPOSAL

- 1.2 The proposal is for the demolition of an existing bungalow and for the construction of a three storey building to form 6 flats each with two bedrooms.

The building would rise to a maximum height of 9m and would be of an approximately square form with some protruding elements to the side elevations and a dual pitched gable to the rear. The proposed building would have side elevations measuring 14.38m, the front elevation would measure 15.32m and rear elevation would be 12.22m.

- 1.3 It would be pitched roofed with various protruding elements and would also include a relatively small flat roofed section and a dual gable end to the rear. Small flat roofed dormers are also included and the building is Georgian in style/design.
- 1.4 Six car parking spaces are proposed to the front elevation and include one disabled parking bay and three parking spaces to the rear along with a space for a powered two wheeler (PTW). The amenity area is located to the rear of the plot bordering the social club and car park. The rear parking would be accessed via a central access road accessed through the front arch. A bin store is proposed to the rear of the building enclosed within the central access road and a bin enclosure is also proposed to the front of the site close to the pedestrian access.
- 1.5 It should be noted that the plot is of an irregular shape and reduces in width towards the rear of the site.

2 RELEVANT PLANNING HISTORY

- 2.1 02/00005/FUL - Extension to Existing Garage - Permitted 18 February 2002
- 2.2 05/00968/FUL - UPVC Conservatory - Withdrawn 12 December 2005
- 2.3 06/00065/FUL - Rear Conservatory- Permitted 21 March 2006

3 CONSULTATIONS AND REPRESENTATIONS

3.1 Hockley Parish Council

Disapprove of three storeys; could be overbearing to adjacent single storey neighbours. Concerns on provision of only six parking spaces, no allowance for visitor parking. Amenity area too small and disabled parking bay furthest from the building.

3.2 Essex County Council

The on site parking provision is considered to be acceptable as there will be adequate parking provision due to the town centre location with its proximity of public car parks and sustainable travel. The Highway Authority does not wish to raise any objection to the proposals subject to the following conditions:-

1. Prior to commencement of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4m to the tangent point to the west and 2.4m by 90m to the east, as measured from and along the nearside edge of the

carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

2. Prior to commencement of the development a 1.5m x 1.5m pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of each vehicular access. 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.
3. 9 vehicular hard standings shall be provided as shown on drawing number 1120-02C. The vehicular hard standings shall have minimum dimensions of 2.9m x 5.5m for each vehicle with the dimensions for the disabled bay being 3.9m x 6.5m.
4. A minimum dimension of 6m shall be provided between the rear of the parking bays within the parking court.
5. The existing vehicular crossing shall be suitable and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway footway kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.
6. No unbound material shall be used in the surface treatment of the vehicular access within 6m of the highway boundary.
7. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be identified clear of the highway, submitted to and approved in writing by the Local Planning Authority.
8. 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.
9. Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a residential travel information pack for sustainable transport, approved by Essex County Council, to include 10 All Essex Scratch card tickets.

3.3 **ECC Place Services**

The application still falls some way short in meeting some required and recommended design standards, mostly relating to the perceived over-

development of the site. As a result we would recommend the application is refused/revised and other (lower density) options explored.

- 3.4 The site context to the east is suburban (garden city) in nature, which is positively characterised by front gardens, which lend a softened and green appeal. In contrast, Hockley town centre adjoins to the west. On reflection, given this is a residential development outside the town centre, the garden city character should be retained, though higher densities would be acceptable given this is a sustainable location with good access to facilities including public transport. Similarly, parking standards might be relaxed in consultation with the Highways Authority, given the sustainable location and in accordance with 2.5 of the Essex Parking Standards.
- 3.5 With regard to attractiveness, the depth and massing of the building is better articulated with the combination of narrower depth roofs helping break the building into a more human scale form, albeit a section of flat roof unattractively confused the rear roof scape and should be avoided. We do not object to the principle of a well designed 2 half storey building here given the edge of town centre location, though this puts greater emphasis on the need for good design.
- 3.6 At the detailed level we would recommend that some of the elevations look a bit busy and would benefit from combining some co-located windows through appropriate detailing (e.g. south and east elevations). Also on the south elevation, the upper storey windows should be lowered away from the ridge and windows (and doors) provided to adequately activate the otherwise blank ground floor elevation.
- 3.7 Unfortunately, even if the visual appearance could be considered of reasonable quality, this would not disguise some fundamental flaws with regard to context.
- 3.8 The significant set back of the building combined with its significant depth presents a number of problems. The building (including upper storeys) extends beyond the general building line to the rear, meaning adjoining residential patios to the east would be unnecessarily overshadowed late in the day. The depth of the building appears to have resulted in the need for numerous windows on the eastern elevation which, especially given the setback, would unreasonably overlook the adjoining garden of No. 47 despite some attempt to minimise this. Such overlooking is in conflict with the Essex Design Guide.
- 3.9 It is noted many windows and one balcony also overlook commercial properties to the west. Whilst this should not present an issue at present it could easily constrain the potential for mixed use or residential re-development in the future. On balance we would recommend the proposals predict the potential future re-development of the adjoining site and suitably safeguard its privacy through careful design consideration, including avoiding clear windows which are likely to unreasonably overlook. Where visible blank

elevations would result and considering neighbouring lower buildings, these should be suitably articulated to ensure adequate visual appeal.

- 3.10 In conflict with the Essex Design Guide, Essex Parking Standards and the area's positive local suburban character, the street scene would be overly urban and dominated by car parking given the front 6 bay parking, whilst open amenity also suffers to the rear. We would also question the proposed access between the two areas of parking which, especially given its length, appears too narrow - has this been highlighted to Highways and approved by them. On balance we would recommend parking is primarily provided to the rear and or sides with the site probably only capable of accommodating up to 6 parking spaces given other requirements, including open amenity and retaining the area's landscape character. If a drive-under access is provided, this should be better expressed. Within the current proposals, it forms the focal point to the front, though detailing is disappointingly bland and around the back detailing is needed to help positively identify the opening, considering it currently appears lost within the overall composition of the elevation.
- 3.11 With regard to open amenity, the extent of car parking means little is left for open amenity, with the only space left being quite small and separated from dwellings by the car park. From our experience small detached spaces such as this are unlikely to be used. Balconies for upper storey flats help alleviate the issue to some degree, albeit some might be considered too meanly dimensioned and this does not alleviate the development's inherent lack of greenery.
- 3.12 In addition to those suggestions mentioned above, proposals for a future revised scheme might look less apartments or alternative forms of development, retaining a significant proportion of the front space as garden, giving ground floor units some suitably designed spill out amenity space, not setting the upper storeys back beyond the adjoining rear building line, and pushing the front building line forward if this helps accommodate more parking to the rear. On the latter point reference should be made to Essex Design Guide, which suggests the use of the 45 degree principle to determine how far forward the building might go with regard to protecting the day lighting and outlook of No. 47.
- 3.13 **RDC Waste And Recycling**
It is noted that the developer is providing sufficient bins and that he will require the residents to put them at the front of the site for collection . No details are shown of the area at the front, but they will only be there for the day of collection and removed to the rear of the property afterwards. No space needs to be indicated as long as they are put at the edge of the curtilage of the property.
- 3.14 **RDC Environmental Health**
The Head of Environmental Services has no adverse comments in respect of this application, subject to the Standard Informative SI16 (Control of Nuisances) being attached to any consent granted.

- 3.15 **RDC Engineer**
No observations or objections.
- 3.16 **RDC Arboricultural Officer**
The report adequately details two trees subject to Tree Preservation Order 07/78, namely the on site oak tree (T1) and an off site oak tree (T2).
- 3.17 For the proposal to go ahead it is acknowledged that some of cypress hedge G1 will require removal (although there may be scope for the whole of G1 to be removed and re-landscaped if necessary). In addition the oak T1 is identified for removal - it is agreed that the tree has limited future potential; nonetheless suitable replacement trees will be required as mitigation for the benefits the tree currently offers.
- 3.18 Methodologies are outlined within the arboricultural report in relation to the RPA of the off site oak T2 and the proposed parking to the rear of the new dwellings. Given the distance of the oak tree from the proposal and the low likelihood of the proposal affecting the tree, investigation work and additional tree protection is deemed unnecessary.
- 3.19 There are no arboricultural objections to the application, therefore if planning consent is granted then the following conditions are recommended:-

Condition

- 3.20 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Implementation shall be in accordance with the approved schedule and plan.
- (a) Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- (b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936 'Nursery stock'.
- 3.21 All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4228:1989 'Code of Practice for General Landscape Operations (excluding hard surfaces)'.
- 3.22 All new tree planting shall be positioned in accordance with the advice within annex A and specifically the requirements of Table A.1 of British Standard BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

Condition

- 3.23 No work shall take place on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until all the following have taken place:-
- (i) The appointment, by the developer of a competent arboriculturalist for the development, who shall monitor, record and confirm the implementation and maintenance of the tree protection and ground protection measures, as described in section 1.2 of the arboricultural report dated 8 December 2012;
 - (iii) Tree protection fencing shall be erected according to the specification and locations described in section 1.2 and on the Tree Protection Plan within the arboricultural report dated 8 December 2012.

NEIGHBOUR CONTRIBUTOR LETTERS

- 3.24 6 Letters have been received in objection from the following addresses - 25B Belchamps Way, 56 Southend Road x2, 50 Southend Road, 20 Meadow Way, 6 Southend Road.
- To replace a single storey individual bungalow with a three storey block of six flats would be a drastic over-development and would completely change the street scene of the area. I believe something compatible with the existing surrounding buildings in size and scale would be more appropriate.
 - I object to the planning application; there are no other residentially occupied three storey properties in the area. I feel it will change the character of the neighbourhood.
 - My right of privacy will be affected. Due to the height of the building the flats in the second and third storey will be able to see into my property.
 - Previously there were problems with the main sewer. On many occasions we had to call out help with the sewer being overloaded and causing a blockage, mainly to mine and my neighbour next door's property. Surely this problem will get worse if there are 6 flats being added to the sewer system.
 - When the occupants access their property by car, their light will shine directly into my property due to the lower position of my property, which will cause a nuisance.
 - Without doubt the residents will have cars; it will increase the traffic on Southend Road. It is at times very difficult to get onto the road; now there will be at least 6 cars added.
 - When I bought my property it was a lovely, quiet area, even though it is on the main road. I recently had to endure a play school being pended and now a developer wants to build 6 flats in a 3 storey high building opposite which will increase the noise levels considerably.
 - 6 flats means at least 6-12 or more new residents, which need doctors and dentists. More patients to already full surgeries. It is difficult

- enough to try and get a doctor's appointment without more people flooding the area.
- The schools are stretched to their limits without any room to expand. 6 flats could mean 6 or more children trying to get a school space which is difficult, which I know from experience. When I moved to this area several years ago it took 3 months for my son to be able to get a school space.
 - The increase of population in the property is unacceptable. 49 Southend Road is a family home at present. If the plans go ahead it will increase to 6 two- bedroomed flats, which means an increase of 5 families on the plot. There will be no garden, no space for children to play. It will be very family unfriendly.
 - I object to the planning application for the construction of a three storey building containing 6 two-bedroomed flats. I bought my property when it was first built. I now fear that my privacy is going to be greatly reduced as the planned property will overlook mine and neighbouring properties. Hockley is a village by character and I feel strongly that this character is going to be spoilt by allowing this planning application to go ahead. Once this planning application is granted it will open the flood gates for the same types of buildings. There are no three storey buildings in this area so this will change the look of it. I also feel that this area is very populated already as it is difficult to get an appointment at the doctor's surgery; more population will worsen this problem. There will be more cars which in turn mean more traffic. When cars leave the property their car lights will shine into my property which I believe is not acceptable. In all, these planned flats will have a severely negative impact on this area.
 - The proposal would increase traffic in an already congested area. There is already a problem of traffic backing up from the Spa pub along Southend Road. In a short distance there are several entrance/exit points for a large number of vehicles: the Spa pub car park; the public car park, which services the day centre and doctor's surgery; and the dentists car park. The crossing adds to the difficulties, I know as I have nearly been hit whilst crossing more than once.
 - There is no other 3 storey building in the near vicinity as the houses are all 2 storey, which may make the block rather imposing and overbearing for its near neighbours. At present the outlook is reasonably pleasing as there are some trees and hedging rather than just building.
 - I wish to object to the above application.
 - This over-imposing construction is 3 storeys, out of scale, height with surrounding dwellings, businesses. Traditional local roof height is 24-26 feet for 2 storey dwellings. Also, nearby are bungalows and single storey businesses. All will be severely impacted.
 - An example is a 3 storey building erected in the 1990s at the corner of Spa Road/Meadow Way, which caused sale problems to adjacent bungalows. At 1 Southend Road a block of 11 flats was proposed, average height 30 feet (replacing a 24 foot dwelling). Inspector, on

appeal, had roof height reduced to local norm. Latter is only 2 storeys, but that's just too bad. It's been said the bank building at corner of Woodlands/Southend Roads is average 30 feet, but it's away from current residential locale. Like most re-development in Hockley, it has not been a success. (Incidentally, it replaced 2 18C semi-detached thatched roofed timber framed cottages; that would never have occurred in darling 'historic' Rochford - like 1 Southend Road, there was the usual suspect little fire).

- Access to the above proposal for 7 parking spaces, not to mention need for visitors, deliveries, etc, onto the main road is unacceptable. 1 Southend Road 11 flats scheme got away with access from a side road, but this number still causes problems. Southend Road is the busiest B road in the UK. The above mentioned building in Spa Road likewise has access in a side road. Spa Road is not quite as busy as Southend Road, B1013.
- Credible report has it that the developer, if this proposal is approved, plans to purchase adjacent property to erect a further 6 flats, presumably causing a total of 14 parking spaces. This will destroy several businesses, amount to over-intensification and traffic problems on the main road near a busy junction.
- Sorry, but developer will have to stick to replacing bungalow with traditional 2 storey house.

4 MATERIAL PLANNING CONSIDERATIONS

- 4.1 The site is located within the residential area of Hockley, therefore, residential development of the site would in principle be considered acceptable at this location. The National Planning Policy Framework (NPPF) is in favour of sustainable development. It is considered that the proposed residential development accords with this presumption and represents 'sustainable development' at this site.

Street Scene

- 4.2 The site is located within the residential area of Hockley, on the boundary with the town centre, and is considered to be within a prominent position in the street scene. This is due to the low rise nature of neighbouring buildings immediately neighbouring the site with single storey buildings to the east and west enhancing the visibility of this site. A public car park exists to the south west of the site, therefore the proposed building would be clearly visible to users of this car park.
- 4.3 Southend Road consists of a variety of properties that vary in size and style. As previously mentioned, the buildings immediately bordering the site are single storey commercial premises and directly opposite the site are a collection of semi-detached chalet residential properties, which are replicated further along the road.

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- 4.4 Concerns have been raised with regard to the density and hence over-development of the site. Whilst the proposal would result in an increase in density, due to its location on the boundary with the town centre it is considered that such density is acceptable.
- 4.5 The site appears to be relatively level with a slight slope down towards the property from the road. A slight incline towards the centre of Hockley can also be seen. It should be noted that the properties opposite the site are located lower than the road/pavement level and would be sited lower than the proposed development. Drawing no. 1130-04 states that the existing ground level would be retained and as such the proposed building would be sited slightly lower than the existing pavement level. The existing bungalow reaches a maximum ridge height of 6.4m and the maximum ridge height of the proposed building would be 9m, and is thus an increase of 2.6m in height.
- 4.6 The proposed building would be located further back from the front elevation of Nos. 47, 51 and 53 Southend Road and would be 12.2m from the pavement at its closest point. This distance is considered acceptable as neighbouring properties are set back from the pavement. The NPPF at paragraph 56 encourages good design stating that 'good design is a key aspect of sustainable development' and this is reinforced at a local level within policy CP1 of the Core Strategy 2011 and policy HP6 of the Local Plan 2006.
- 4.7 In considering the scale and mass of the building, the development would be a dominant feature within this location due to the low rise nature of buildings immediately neighbouring the site. However, several buildings within the town centre of Hockley such as the Spa pub and an office building sited close to the site are not too dissimilar in terms of scale and mass to that proposed and of which some design inspiration appears to have been taken. It should also be noted that Drawing. no. 1130-04 shows the proposal within the street scene and it is clear that the building would only be slightly higher than No. 45 Southend Road (dentists).
- 4.8 The Essex County Council Urban Design Officer has been consulted in relation to this application of which a number of concerns have been raised and include the design of the development. It is stated that in principle a well designed 2 and a half storey building at this location would not be objectionable.
- 4.9 The proposal has a pitched roofed design with gable ends, a small gable to the front elevation and a dual pitched roofed gable end to the rear. The proposal would also incorporate a flat roofed section. The ECC Urban Design Officer takes issue with the flat roofed section stating that it is an unattractive feature which should be avoided. Whilst it is agreed that flat roofs are not attractive features to most developments, in this instance the flat roofed section is relatively small in size and sits between two gable features. The flat roofed section would not be visible from the roadside, but may be visible to users of the car park to the rear. Whilst this may be the case, this flat roof would be largely hidden from the main public realm to the front of the building

and being a minimum distance of 24m from the public car park to the rear it is considered that this amount of flat roof is not objectionable.

- 4.10 The proposal also includes a front gable and protruding elements, which provide a focal point to the front elevation and would appear as an additive form. This element includes the access to the rear parking area. The ECC Urban Design Officer comments that detailing to this access is bland, especially to the rear. Whilst the rear elevation may appear more bland in appearance to that of the front elevation, it is considered that the ground floor rear elevation is unlikely to be seen from the public realm due to boundary treatments and planting to the boundaries. Other elements on the rear elevation at first and second floor level also help to reduce the somewhat bland appearance of the ground floor.
- 4.11 Due to the prominence of this proposed building, attention has been made to ensure the flank walls are not featureless. The ECC Urban Design Officer feels the side elevations are busy. It is considered that the side elevations proposed using protruding elements, fenestration and balconies to break up the flank walls creating interest; it should also be noted that as part of the design of the building a string course is incorporated articulating the building and the design of the side elevation with chimney additions is similar to that of No. 45.
- 4.12 The proposed building would be sited 1m from the eastern boundary and due to the irregular boundary shape, the plot size reduces in width towards the rear of the plot; a 1m separation is also provided to the western boundary.
- 4.13 In design terms, the proposed development is not considered objectionable and would create a feature within the street scene and is considered to be acceptable on the site in accordance with policy HP6. The boundary treatment proposed to the front of the plot is clarified within the design and access statement with low level walling and railings to the front of the plot. This would also be softened with a laurel hedge and is deemed to be attractive. However, any further details could be sufficiently controlled by planning condition in accordance with part (ii) to policy HP6. The layout of the parking provision at this site, in design terms, is considered to be acceptable. The design of the landscaping scheme proposed is considered to be acceptable in accordance with part (vii), and a final more detailed design could be agreed by planning condition.
- 4.14 Policy ENV9 of the Core Strategy requires all new residential development to reach Code level 3 for Sustainable Homes and also, within the period 2010 to 2013 the Council expects development to go beyond Code level 3 in terms of water conservation measures, unless such requirements would render a particular development economically unviable. A planning condition requiring the proposed flats to meet Code 3 could be attached to an approval. In addition to this, policy H6 of the Core Strategy requires all new housing developments to comply with the Lifetime Homes Standard. A planning

condition requiring the flats to meet the Lifetime Homes Standard would sufficiently ensure compliance with policy H6.

Layout

- 4.15 SPD2 requires that for flatted schemes balconies should be a minimum of 5 square metres, with the ground floor dwelling having a minimum patio garden of 50 square metres, or the provision of a useable communal residents garden of 25 square metres per flat is required.
- 4.16 Three balconies are proposed within the flatted scheme, 2 balconies serving the two flats on the first floor and a balcony serving one flat on the second floor. The two balconies at first floor level are approximately 4.75 square metres and 4.88 square metres in size, which is slightly undersize but considered acceptable, whilst the balcony on the second floor would be 5.13 square metres exceeding the minimum size. A communal garden area is provided to the rear of the plot and a smaller area to the front of the site.
- 4.17 The ECC Urban Design Officer is critical of the current amenity layout, since the space would be small in size and that the location of the amenity area would undermine its usage due to the car park. Whilst this may be a valid comment it is considered that the current amenity area is sufficient in terms of layout and if altered this could cause the loss of parking spaces.

Residential Amenity

- 4.18 Whilst the site is located between properties, as previously mentioned the properties within the immediate vicinity are used commercially, with No. 47 used as a computer business and Nos. 51 and 53 used as a florist and pharmacy. The nearest residential property to the proposed development is The Oaks, Southend Road, which has an unusual relationship with neighbouring properties as it is sited to the rear of properties fronting Southend Road. The property has a garden area to the east of the site bordering the site under consideration.
- 4.19 Nine windows can be seen to the eastern elevation of the proposed development, three at ground floor level, four at first floor level and two at second floor level. It is not considered that the ground floor windows would cause any overlooking due to the boundary obscuring the view to the neighbouring building. The windows at the first and second floor may cause some overlooking to the garden of The Oaks, however it is not deemed that these windows would cause a detrimental amount of overlooking directly into the property itself or into the most usable area of their garden, which is considered to be to the rear of the property where their patio area appears to be located.
- 4.20 The windows and balconies at first and second floor level would look towards the day centre and to the rear of the properties in Woodpond Avenue. It is not considered an unacceptable relationship for the balconies and windows to

look towards the day centre and the distance between the closest balcony (at second storey) and the rear elevations of the properties on Woodpond Avenue would be over 40m. Due to this distance and the siting of the day centre in between, it is not considered that there would be unacceptable overlooking to properties in Woodpond Avenue.

- 4.21 Eight windows are proposed to the western elevation, three on the ground floor with the same configuration seen at first floor level. Two dormer windows can be seen on the western roof slope and there is a Juliette balcony at the second floor level. As previously stated, the buildings to the west of the site are low rise and used commercially, therefore it is considered that there would not be an unacceptable amount of overlooking to these neighbouring premises.
- 4.22 The two balconies to the front of the building would look towards a semi-detached pair of chalets (Nos. 54 and 56 Southend Road). However, due to the minimum of 28m distance and the siting of the road in between, the development and the existing properties it is not considered that the flatted scheme would generate unacceptable overlooking to these properties.
- 4.23 SPD2 advises that extensions to dwellings should not breach a 45 degree angle at first floor with the nearest ground floor habitable room windows on neighbouring properties in order to prevent an excessive degree of overshadowing to neighbouring properties. Whilst this policy guidance does not relate to proposals for new dwellings it is a useful guide for assessing the acceptability of the relationship between proposed new dwellings and neighbouring properties. As the neighbouring properties are not residential this advice is not specifically necessary, however for completeness this was assessed. The current application shows that this angle would not be breached to the rear windows of No. 51 and would not breach any of the rear windows of No. 47, therefore it is considered that the proposed building would not generate unacceptable overshadowing.
- 4.24 The residential properties located on Woodpond Avenue are located in excess of 34m from the rear elevation of the proposed flats. The Essex Design Guide states that 'upper storey flats can cause problems of overlooking from living rooms, and therefore any rear-facing upper storey living room should be no closer than 35m to the rear of any other dwelling'. No living room windows are located on the upper floors at the rear elevation of the proposed flats and the distance exceeds that stated in the Essex Design Guide and would not cause any issues in terms of overlooking to these rear properties. It is also considered that any new planting would help to soften the view of the development.
- 4.25 Properties opposite the development within Southend Road would be located at least 28m from the front elevation of the proposed development. Concerns have been raised with regard to overlooking into these properties, especially with the proposed balconies to the front elevation. However, it is considered

that due to the separation distance and the road in between it is unlikely that overlooking would occur directly into these properties.

- 4.26 It is not considered that the proposed development would have a detrimental impact on the residential amenity of properties within Southend Road or properties on Woodpond Road due to the distance between the proposed flats and these properties.

Parking and Access

- 4.27 The Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010 requires for flats, 1 vehicle space per dwelling (with two vehicle spaces for two-bedroomed flats) and one secure covered cycle space per dwelling. For visitor/unallocated parking there is a requirement for 0.25 spaces per dwelling (rounded up to the nearest whole number), 1 powered two wheeler (PTW) space, cycle space per 8 dwellings for visitors, 2 powered two wheeler spaces and 3 disabled bays
- 4.28 Therefore if working in accordance with the adopted parking standards, the proposed development would require 12 car parking spaces, 2 visitor/unallocated vehicle spaces, 1 PTW space and 3 disabled parking bays. The parking standards document also states that 'reductions of the vehicle standard may be considered if there is development within an urban area (including town centre locations) that has good links to sustainable transport'.
- 4.29 The plans submitted propose nine vehicle spaces, including one disabled bay. Therefore each flat will have one car parking space and three bays, including the disabled bay, could be used as unallocated/visitor spaces. A cycle store can also be seen to the western side of the building and a single bay for a PTW to the rear of the building. Planning permission was sought for flats at the nearby location of 1 Woodlands Road (Reference 11/00217/FUL) and is a similar example in terms of considering parking provision. Whilst this example was for 8 x 2-bed flats, the Council sought 12 parking spaces including visitor parking for this scheme. Therefore it is considered that this would be an acceptable and consistent approach to take with the current proposal considering the site's proximity to the town centre, that it is within walking distance of Hockley train station and bus stops, and a public car park is located to the rear of the site.
- 4.30 Eight of the spaces shown meet the preferred bay size of 2.9m x 5.5m and the single disabled bay meets the size of 6.5m x 3.9m and complies with the parking standards. Highways have also noted that a minimum dimension of 6m shall be provided to the rear of the parking bays within the parking court in order to provide a turning space and this is achieved. It should also be noted that the access to the rear parking area exceeds the minimum width of 2.4m and is deemed to be appropriate and functional.
- 4.31 The bike store, as previously mentioned, is located to the side of the building with easy access gained. The bike store would reach a total height of 2.05m

and would be 3.05m in width and 2.2m in depth. The shelter is to be constructed using a black painted metal framework with polycarbonate side and top covers. Three 'Sheffield' type stands would be available accommodating two bikes (one on either side), ensuring six cycle spaces, one for each flat; this is in accordance with parking standards

- 4.32 It is considered that the front garden area would not be useable space and as such is not included in the total area of communal garden space. However, the garden area to the rear of the site measures 70.20 square metres. Supplementary guidance states that the minimum amenity area standards can be combined. On this basis the flats with the balconies would achieve an acceptable amenity area. The remaining three flats would have 23 square metres of communal amenity space each; this does not comply with the minimum garden space, but the shortfall in communal garden space is not considered detrimental bearing in mind its close proximity to the town centre and that the site is within walking distance of public open space on the corner of Main Road and White Hart Lane. It is therefore concluded the garden area to be provided is acceptable.
- 4.33 The cycle store is located to the west of the building, whilst the bin enclosure would be on the ground floor to the rear of the building at ground floor level and a refuse collection point located to the front of the plot next to the pedestrian access. This is considered to form an acceptable relationship to neighbouring properties. The bin area proposed provides sufficient space for bins as confirmed by RDC waste and recycling.
- 4.34 The overall layout of the flat development is considered to form an acceptable relationship with neighbouring properties.

Trees

- 4.35 As part of the application an arboricultural report has been produced detailing existing trees on site. A tree preservation order (TPO/0007/78) relates to two oak trees, one on site (T1) and one off site (T2). A leyland cypress hedge can also be seen to the rear of the site; this is to be removed.
- 4.36 T1 is identified to be removed; within the report it is stated that the oak tree has previously been 'ringed' and heavily pollarded and the tree is deemed to be in decline. RDC arboricultural officer agrees that T1 has a limited future. If this tree is to be removed a new tree would be required to replace the loss of T1 due to the attractive feature it currently creates and could be located in a more suitable location on site providing further screening to the development.
- 4.37 Whilst T2 is off site and is in third party ownership, the arboricultural report states that only a very marginal part of the root protection area of T2 will be compromised by the hard surface of the parking bays. In order to assess this it is suggested that a hand dug assessment trench will be opened and if significant roots are present and they cannot be pruned clear of the construction zone a no dig surface will be used.

- 4.38 The methods stated in order to protect the trees neighbouring the site are considered to be acceptable.

5 RECOMMENDATION

- 5.1 It is proposed that the Committee **RESOLVES to approve** the application, 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.
- (3) 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;
 - 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;
 - means of enclosure and other boundary treatments;

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.

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- (4) No development shall commence (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until the following have taken place:-
- (i) The appointment, by the developer of a competent arboriculturalist for the development who shall monitor, record and confirm the implementation and maintenance of the tree protection and ground protection measures as described in section 1.2 of the arboricultural report dated 8 December 2012;
 - (ii) Tree protection fencing shall be erected according to the specification and locations described in section 1.2 and on the tree protection plan within the arboricultural report dated 8 December 2012.
- (5) Prior to the occupation of any of the dwellings hereby approved 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 each vehicular access. Such visibility splays shall be implemented and retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.
- (6) Prior to the occupation of any of the dwellings hereby approved, 9 no. parking spaces shall be provided (3 no. visitor spaces and 6 no. resident spaces) having minimum dimensions of 2.9 metres x 5.5 metres (excluding the 1 disabled bay shown, which shall be implemented as shown on drawing no. 1130-02 Rev C. Once implemented, such parking spaces shall be maintained and permanently retained in the approved form.
- (7) Prior to the occupation of any of the dwellings hereby approved, a minimum dimension of 6m shall be provided between the rear of the parking bays within the parking court. Once implemented, the 6m distance shall be maintained and permanently retained in the approved form.
- (8) The existing vehicular crossing shall be suitable and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway footway kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.
- (9) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- (10) Prior to the commencement of works on site the applicant shall submit details to be agreed in writing by the Local Planning Authority identifying an area within the curtilage of the site for the loading/unloading and the reception and storage of building materials and the manoeuvring of all vehicles, including construction traffic, clear of the highway. Once agreed, such details shall be implemented on site and retained during the entire length of the construction process.
- (11) 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 agreed in writing by the Local Planning Authority. This shall include a proposal for the use of permeable paving within the site or a method by which surface water is directed to a porous area within the site. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- (12) Prior to commencement of the development hereby approved, details shall be submitted to and agreed in writing by the Local Planning Authority demonstrating how the dwellings hereby approved shall secure at least 10% of their energy from decentralised and renewable or low-carbon sources. If a 10% level is not feasible or viable, then the details submitted shall demonstrate why this is the case and what level would be considered feasible and viable. Once agreed, the details shall be implemented as agreed and permanently retained thereafter.
- (13) Prior to the commencement of the development hereby approved, plans and details shall be submitted to and agreed in writing by the Local Planning Authority demonstrating assessment of the development against the Lifetime Homes Standard criteria. Once agreed, the development shall be built in accordance with these details.

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.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals:

HP6, HP10, HP11, of the Rochford District Council Adopted Replacement Local Plan

CP1, ENV4, ENV9, ENV11, T3, T8 of the Rochford District Council Core Strategy 2011

Supplementary Planning Document 2

Parking Standards Design and Good Practice December 2010

National Planning Policy Framework

The local Ward Members for the above application are Cllrs B T Hazlewood, K H Hudson and Mrs C A Weston,

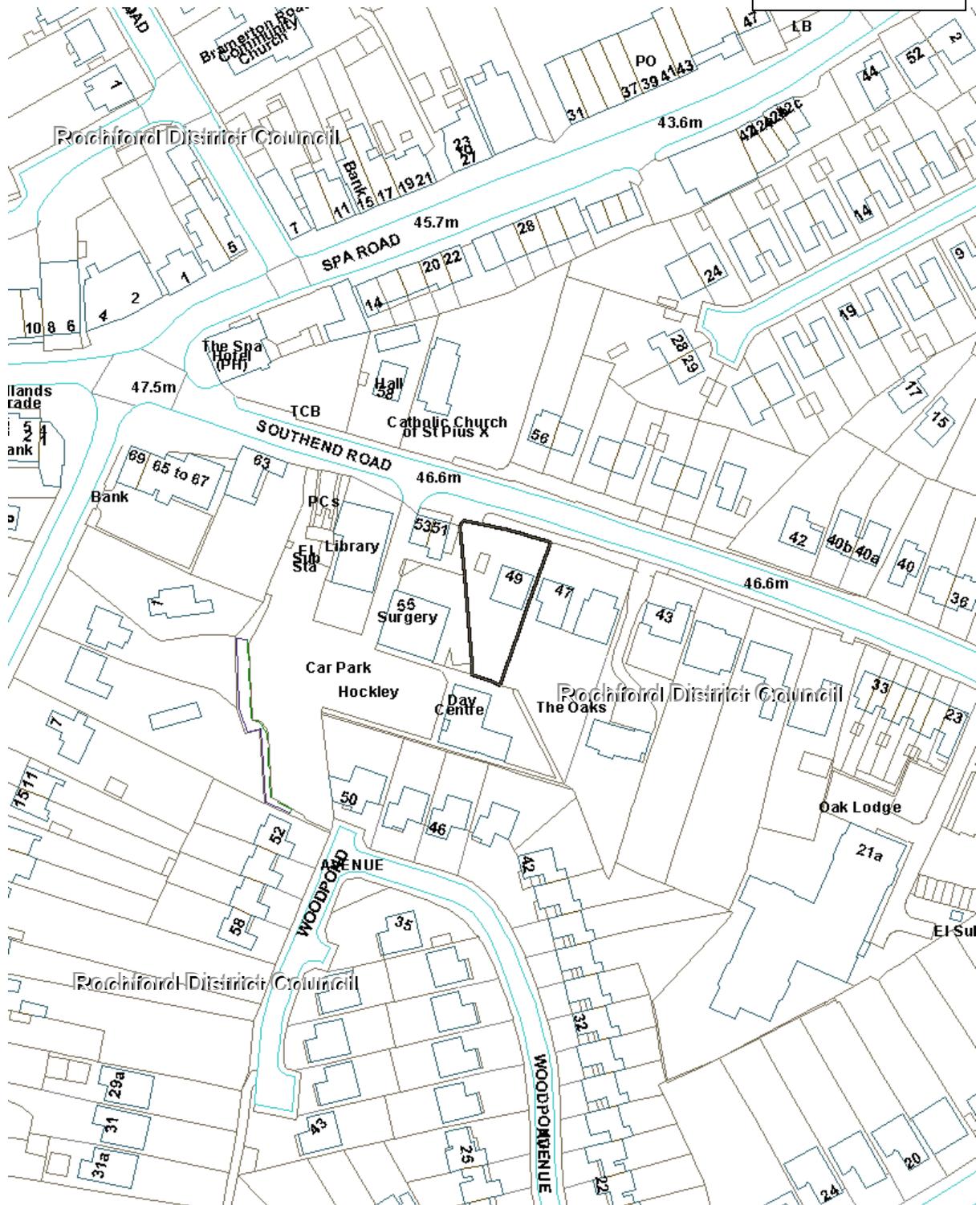
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If you would like this report in large print, Braille or another language please contact 01702 318111.

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