

PLANNING SERVICES COMMITTEE - 30 June 2004 Item R5 Referred Item

TITLE : **04/00418/FUL
ERECTION OF BUILDING TO ACCOMMODATE 5 X
2-BED AND 3 X 1-BED SELF CONTAINED FLATS ON
THREE FLOORS
LAND REAR OF 4 - 6 EASTWOOD ROAD RAYLEIGH**

APPLICANT: **ABBA CARS LTD**

ZONING: **PART OF POLICE STATION, RESIDENTIAL**

PARISH: **RAYLEIGH TOWN COUNCIL**

WARD: **WHITEHOUSE**

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

This application was included in Weekly List no. 732 requiring notification of referrals to the Head of Planning Services by 1.00 pm on Tuesday, 29th June 2004, with any applications being referred to this meeting of the Committee. The item was referred by Cllr P F A Webster.

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

- 5.1 **Rayleigh Town Council** consider the application to be overdevelopment of the backland and could lead to vehicular activity on a substandard access adjacent to a bus stop.

HISTORY

- 03/00103/FUL - Erect Three Storey Block of Eight Flats (1 and 2 Bed), REFUSED;
 - *In the opinion of the Local Planning Authority, whilst the absence of parking spaces to serve the proposed development is considered consistent with the Town Centre location of the site, the absence of an on-site turning area and stopping area for loading/unloading or to drop off/pick up people is not considered acceptable. The development is proposed on a backland site accessed via a narrow alley. The alley is wide enough for vehicular traffic; indeed, parking is provided at the head of the alley for the occupants of premises adjoining the application site. The alley also provides pedestrian access between Castle Road Car Park and Eastwood Road, and is well used in this regard. In the Local Planning Authority's view, irrespective of the absence of parking/turning facilities on the site, it is considered that residents of the flats*

and their visitors would be attracted to use the alley to load/unload or pick up/drop off people. Moreover, given that it would not be apparent from the road that a parking/turning facility did not exist to serve the flats, it is considered that deliverymen and other callers would assume the presence of such facilities and drive into the alley to reach the flats. In any case, vehicles entering the alley to reach the flats would be unlikely to be able to turn and would, therefore, need to leave the alley in reverse gear.

In the Local Planning Authority's view such a manoeuvre would likely be prejudicial to the safety of pedestrians on the pavement at the junction of the alley with Eastwood Road and pedestrians walking up/down the alley itself. Such a manoeuvre could also result in a conflict with other vehicles driving into the alley, and be a source of highway danger for vehicles leaving/entering Eastwood Road. The means of access to the proposed flats is therefore considered unsatisfactory and inadequate, and contrary to Policies H20 and TP15 of the Rochford District Local Plan First Review.

- 01/00240/FUL - Erect Two Storey Office Building. Layout Area for Deliveries and Taxi Storage, APPROVED – it is pertinent to note that this permission remains valid;
- 00/00400/OUT - Outline Application to Erect Office Building Incorporating Taxi Control Centre, WITHDRAWN;
- CU/034/98 – Use of site for parking of staff cars from the adjacent Somerfield supermarket.

NOTES

- 5.2 The application proposes the erection of a three storey block of flats, containing 5 no 2-bed flats and 3 no 1-bed flats. The block would have an overall height of 9.2 metres.
- 5.3 The building is proposed on a parcel of land to the rear of 6 and 8 Eastwood Road. An alleyway between numbers 6 and 8 would provide pedestrian access to the site. No parking spaces are provided on the application site and, taking into account the application site size and the footprint proposed, none could be provided. The current application differs from the previous refusal in that this scheme proposes a turning area to the east of the building (utilising in part the existing pedestrian and vehicular alleyway outside of the site) to allow visitors to the site, such as delivery vehicles, to leave and enter the highway in a forward gear.
- 5.4 Rayleigh Police Station, a three storey building, lies to the west of the site whilst Somerfield Car Park lies immediately to the south west of the application site.
- 5.5 Within the current Local Plan the site is zoned as part of the Police Station. This allocation has changed in the Replacement Local Plan Second Deposit Draft to residential. Therefore the redevelopment of this site for residential purposes is considered to be acceptable in principle.
- 5.6 The site lies in a backland location, to the rear of the terrace of properties fronting

- 5.6 (cont) Eastwood Road. The backland location of the site is unusual, but not unique in this general area. A number of industrial units are also situated in a nearby backland location. Clearly, the appropriateness of a building in this backland location has been previously considered, and found acceptable: permission has been granted for office development on the site. The Police Station is also a deep building, projecting well into the hinterland away from the road frontage. In visual terms then, the backland location of the proposed building is considered acceptable, and compliant with Policies H11, H16 and H20.
- 5.7 Permission has previously been granted for a two storey office building on the site. To the occupants of flats above 4 and 6 Eastwood Road, the approved building would present a flank elevation 13m wide by 9.2m in height (overall). The current proposal would present a flank elevation some 15.4m wide by 9.2m in height (overall).
- 5.8 The proposed building is larger than the approved building, and would present a brick wall to the occupants of flats above 4 and 6 Eastwood Road, against the articulated flank elevation and gabled roof of the approved office building. This said, it is not considered that the scale or appearance of the building would be demonstrably harmful to occupants of the flats, merely a little plain. Of the three units above Nos. 4 and 6 Eastwood Road, the two outside units are in residential occupation, the middle one is in office use.
- 5.9 Both residential units have windows facing towards the application site. The distance from these windows to the proposed building is some 18-19m. The proposed building would be visible from these windows but not, it is considered, overbearing. A view either side of the building would be maintained.
- 5.10 The outlook from the middle unit would be most affected by the development, since it would look out 'square on' to the flank wall of the building. However, the unit is in office use, and little weight is generally attached to the amenities of the occupants of offices, against those of the occupants of dwellings. Moreover, the distance from the office unit to the proposed flats (18-19m) is reasonable and, as discussed above, it would be difficult to demonstrate actual harm.
- 5.11 The building now proposed is three storey, against the two storey building previously permitted. (The three storey building would be the same height as the two storey building (9.2m), because the central section of its roof would be flat).
- 5.12 Buildings fronting Eastwood Road at this point are generally two storey. However, the Police Station is a three storey building, somewhat higher than the proposed flats; and, indeed, is also a building of substantial depth and bulk. The Police Station would form part of the backdrop to the proposed flats.
- 5.13 Having regard to these points, it is not considered that the flats now proposed would appear out of scale or context with existing development. It is considered that the proposals would accord with Policies H11, H16 and H20.

- 5.14 The application as submitted makes no provision whatsoever for on site car parking. It is noted that the site is a sustainable one, well served by public transport and in close proximity to public car parks, and shops can be reached on foot.
- 5.15 The Council has formulated revised parking standards, to take into account the Government's up-to-date advice (PPG13), which seeks to reduce car use. The thrust of this guidance is that in central urban areas where shops and services are reachable on foot, and where good public transport links exist, on-site car parking to serve residential developments should be minimal or, indeed, absent. Application of the Council's revised standard requires a maximum of one space per unit. The provision of fewer spaces than this is concordant with the standard.
- 5.16 It is agreed that the site is just such a location where the absence of any on-site parking might be acceptable. While it cannot be guaranteed that the absence of on-site parking would dissuade residents of the proposed flats from owning/using cars (which is, of course, the Government's objective), the site is reasonably close to major town centre car parks, which would offer residents or their guests a place to park. In the circumstances then, the absence of parking within the site is considered acceptable. In this regard, it should also be noted that the Highway Authority does not object to the proposal.
- 5.17 The site is a backland site, accessed via a narrow alleyway. Parking spaces do exist to the rear of Nos. 6 and 8, although these are intended for the use of the hairdressers, bookmakers and units above. Pedestrian access is also available via the alley between Castle Road Car Park and Eastwood Road.
- 5.18 Whilst the site is reasonably close to car parks, the inability to park on the site would certainly be inconvenient. It is considered likely that there would be occasions when residents would drive into the alleyway, perhaps hoping to park in one of the spaces designated to Nos. 6 and 8, albeit for a short time; to drop off partners, to pick people up, etc. Alternatively, they would risk waiting in the alley.
- 5.19 The turning area now proposed would allow occasional callers/vehicles to the site to turn within the site. The key issue is whether the provision of this area is in itself enough to overcome both the issues the potential issues of highway safety and conflict with the pedestrian users of the footpath.
- 5.20 Given that pedestrians will inevitably always use the alleyway some degree of conflict is likely, whatever the measures put forward by the applicant to provide turning facilities, although a turning area wholly within the site, not utilising the pedestrian alleyway would reduce this conflict. In this instance the applicant likens the proposed turning area to that previously approved for taxi storage under reference 01/00240/FUL. It is thought that the current proposal, like 01/00240/FUL, would not result in traffic movements greater than that associated with the Somerfield car parking use. Therefore, whilst it is recognised that there remains some potential for conflict the overall impact is not considered to result in an excessive worsening of conditions for pedestrians.

- 5.21 There have been three neighbour representations received with the main points being:
- A three storey property will reduce light to the rear of 4A;
 - The kitchen and bathroom of 4A will be overlooked;
 - Parking is a problem and in reality residents will have cars;
 - Concerned about access through the narrow entrance;
 - Damage to both buildings and drainage will result from the use of this access;
 - The access is frequently used by pedestrians;
 - There is inadequate car parking.
- 5.22 **County Surveyor (Highways)** has no objection to the proposal.
- 5.23 **Buildings/Technical Support** note public surface water sewers to the east and south and that the access road is used for pedestrian access to the public car park and off street parking to properties in Eastwood Road.
- 5.24 **Environment Agency** no comment.
- 5.25 **Essex County Council (Archaeology)** no recommendations.
- 5.26 **Rayleigh Civic Society** makes the following comments.
- Concerned about the dual use of the access by pedestrians and vehicles;
 - No car parking, presume that any vehicles will park in Castle Road Car Park overnight;
 - Access by the emergency services and for refuse collection will be difficult;
 - The site is very small for this building and the building would seriously overshadow properties at 4-6 Eastwood Road.

APPROVE

- 1 SC4 Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC22A PD Restricted - Windows
- 4 SC50 Means of Enclosure - Full (PD Restr)
- 5 SC59 Landscape Design - Details (Full)
- 6 SC76 Parking and Turning Space

Relevant Development Plan Policies and Proposals:

H11, H16, H20, H24, TP15, of the Rochford District Council Local Plan First Review

HP6, HP14, HP18, TP9 of the Rochford District Local Plan Second Deposit Draft



Shaun Scrutton
Head of Planning Services

The local Ward Member(s) for the above application are Cllr. S P Smith Cllr. P F A Webster

For further information please contact Deborah Board on (01702) 546366.

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