

**15/00641/FUL**

**28-30 LONDON HILL, RAYLEIGH**

**TO DEMOLISH AN EXISTING BUNGALOW AND CONSTRUCT THREE DETACHED FIVE-BEDROOMED HOUSES AND FORM TWO NEW VEHICULAR CROSSOVERS**

**APPLICANT:** Flush Group

**ZONING:** Residential

**PARISH:** Rayleigh

**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. 1313 requiring notification of referrals to the Assistant Director, Planning Services by 1.00 pm on Wednesday, 16 December 2015 with any applications being referred to this meeting of the Committee. The item was referred by Councillor C I Black.

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 a detached bungalow (No. 30) and a detached house (No. 28) located within the existing residential area of Rayleigh. To the north of the site is a detached house (No. 32) and to the south is a pair of semi-detached houses (No. 24 and No. 26). To the rear of the site is an area of woodland with a large number of preserved trees located; there are two preserved trees within the rear garden area of No. 30. Directly opposite the site are two pairs of semi-detached houses of conservation character (No. 27 - 33) and an access to a detached chalet (No. 35). The site is not located within the Conservation Area, but the boundary is located on the opposite side of the road to the front of No. 27 - 33. London Hill is a Class III classified road leading up to the top of Rayleigh High Street. London Hill, and thus the application site, is located on steep sloping ground with the land sloping from north up to south as you progress up London Hill to Rayleigh High Street.
- 1.2 The application seeks permission to demolish the existing bungalow at No. 30 and to construct 3 detached five-bedroomed houses. The existing house at No. 28 would not be removed as part of this application, but is incorporated within the application site. The houses would appear modern in design with large glazing elements to the front elevation. They would have hipped roofs

and dormers and each would have an integral garage. Two new accesses would be formed onto London Hill to serve the two additional dwellings.

- 1.3 During the course of the application revised plans were submitted for consideration to address officer concerns with regard to the impact of the proposal upon No. 32 and No. 28 London Hill.

## **2 PLANNING HISTORY (since the 1990s)**

- 2.1 There is no planning history for this site.

## **3 MATERIAL CONSIDERATIONS**

### **Design and Layout**

- 3.1 The principle of residential development is considered acceptable here. Policy H1 of the Core Strategy allows for limited infilling, which contributes towards housing supply, provided that it relates well to the existing street pattern, density and character of the locality, which requires consideration here.
- 3.2 The site is not located within the Conservation Area, but the Conservation Area boundary is located on the opposite side of the road. Policy DM9 of the Development Management Plan would apply as the development is outside, but close to, the boundary of the Conservation Area.
- 3.3 The proposed dwellings are modern in design. The ECC Conservation Officer raises concern with regard to the scale and design of development. He considers that 3 dwellings would create a cramped feel on the site, particularly as the housing on London Road currently enjoys rather large and well-spaced plots. He considers that the dwellings proposed would prejudice the currently fairly neutral impact that the current housing on London Road has on the visual appearance of this entrance into the Conservation Area. With regard to design, the ECC Conservation Officer does not object to a modern style, but does feel that some of the features proposed would have a negative and intrusive impact on the Conservation Area, particularly the high pitched roofs, unbalanced projecting dormer and the two storey glazed element. He concludes by stating that in terms of density and detailing it would have a negative impact on the Conservation Area.
- 3.4 The design and access statement identifies a proposed traditional material palette selected to complement neighbouring properties and the surrounding area, but with some modern elements and use of glazing. The materials proposed include white render, grey windows, Eternit farmhouse brown sand faced tile and grey ridge tiles.
- 3.5 Whilst the general design is modern in appearance, such a modern design/material usage has been accepted elsewhere within London Hill at No. 39 (reference 14/00124/FUL) where permission has been granted to convert a bungalow to a house with a modern design bordering the Conservation Area.

Slightly further down the road a bungalow was also converted to a chalet bordering a listed building at No. 62 (reference 12/00239/FUL) with a modern use of materials. Therefore, it is not considered that the modern design alone would represent a reason for refusal here.

- 3.6 SPD2 requires infilling on plots such as this to ordinarily be a minimum of 9.25m for detached properties or be of such frontage and form compatible with the existing form and character of the area within which they are to be sited. The site layout plan shows the site frontage to measure 27m, therefore each dwelling would have a frontage width of 9m, slightly short of the 9.25m criteria. However, such shortfall is minimal and it is not considered that this would represent a justified reason for refusal. There are no other frontages to this width for detached properties within the immediate street scene; all are wider (No. 28 = 11m, No. 32 = 15m, No. 34 = 12m, No. 39 = 16m). Whilst the proposal would allow reduced frontage widths than those already present within London Hill it is still considered that sufficient separation distance would remain to ensure that they would not appear too cramped within the street scene of London Hill. The hipped roof design would also assist in providing more visual gaps between the dwellings.
- 3.7 The proposed dormers are pitched roof in design and of a reasonable scale within the roof slope in accordance with SPD2. It is a requirement of SPD2 that 1m separation is provided between the side boundaries and habitable rooms of the dwellings. Such a requirement is met across the majority of the scheme with garages being located up to the boundary, but as these are not habitable rooms this would still comply with SPD2. The rear corner of plot 3 reduces to approximately 0.8m, however, it would meet the 1m along the majority of its length (excluding the garage) so this reduction is not considered objectionable.
- 3.8 The overall scale and height of the dwellings within the street scene is not considered objectionable. The dwellings would follow the steep slope of London Hill. The street scene drawing provided shows the land level differences proposed between the dwellings and the neighbouring properties at No. 28 and No. 32. This is considered acceptable, but more detail should be provided by condition to ensure that the final levels are sufficiently staggered to ensure a good integration within the street scene of London Hill with any necessary retaining walls also to be agreed.
- 3.9 SPD2 requires properties of this size to have private amenity areas measuring 100m<sup>2</sup>, which would be adhered to with garden areas in excess of 200m<sup>2</sup> to be provided. Some soft landscaping is proposed to the frontage. Such soft landscaping will be important here due to the high level of soft landscaping currently present to the site frontage and the site's close proximity to the Conservation Area. The quantity proposed to the frontage at present appears reasonable and, as explained later, should include the addition of trees.

- 3.10 The Council operates a 3 bin system. The bins could be accommodated to the rear/side of each dwelling or within the garages, which is considered acceptable.

### **Technical Housing Standards**

- 3.11 The Ministerial Statement of 25 March 2015 announced changes to the Government's policy relating to technical housing standards. The changes seek to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard. From the date the Deregulation Bill 2015 was given royal ascent - 26 March 2015 to 30 September 2015 - the Government's policy is that planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency.
- 3.12 Rochford District Council has existing policies relating to all of the above, namely access (Policy H6 of the Core Strategy), internal space (Policy DM4 of the Development Management Plan) and water efficiency (Policy ENV9 of the Core Strategy) and can therefore require compliance with the new national technical standards, as advised by the Ministerial Statement (March 2015).
- 3.13 Until such a time as existing Policy DM4 is revised, this policy must be applied in light of the Ministerial Statement (2015), which introduced a new technical housing standard relating to internal space standards. Consequently all new dwellings are required to comply with the new national space standard, as set out in the DCLG Technical Housing Standards - nationally described space standard March 2015.
- 3.14 An assessment of the two house types is undertaken below:-

#### **House Type 01 (Plot 1)**

- Bedrooms 2 and 3 provide the floor space area of a single bedroom, and therefore have been treated as such for calculation purposes
- This house type is 5-bedroomed with 7 person occupancy and therefore must provide 125m<sup>2</sup> of floor space and 3.5m<sup>2</sup> of built-in storage.
- It would provide 142.2m<sup>2</sup> in accordance with the criteria. The built-in storage would equate to 2.3m<sup>2</sup>. Whilst this is below the standard, additional storage space could be required by condition and accommodated internally.
- Minimum bedroom size requirements are met for all bedrooms except bedroom 5, which is below the minimum 7.5m<sup>2</sup> for a single bedroom,

however, slight changes to the internal arrangement by condition could ensure that this bedroom meets the 7.5m<sup>2</sup> criteria.

- The minimum 2.3m ceiling height criteria is met.

#### **House Type 02 (Plot 2)**

- Bedroom 3 provides the floor space area of a single bedroom, and therefore has been treated as such for calculation purposes.
- This house type is 5-bedroomed with 8 person occupancy and therefore must provide 134m<sup>2</sup> of floor space and 3.5m<sup>2</sup> of built-in storage.
- It would provide 168.4m<sup>2</sup> with 4.7m<sup>2</sup> storage in accordance with the criteria.
- Minimum bedroom size requirements are met.
- The minimum 2.3m ceiling height criteria is met

#### **House Type 03 (Plot 3)**

- Bedroom 3 provides the floor space area of a single bedroom, and therefore has been treated as such for calculation purposes.
- This house type is 5-bedroomed with 8 person occupancy and therefore must provide 134m<sup>2</sup> of floor space and 3.5m<sup>2</sup> of built-in storage.
- It would provide 149.1m<sup>2</sup> in accordance with this criteria. The built-in storage would equate to 2.9m<sup>2</sup>. Whilst this is below the standard additional storage space could be required by condition and accommodated internally.
- Minimum bedroom size requirements are met.
- The minimum 2.3m ceiling height criteria is met

3.15 Therefore, the technical housing standards are mostly met and where they are not a planning condition could sufficiently address this.

3.16 Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015), which introduced a new technical housing standard relating to water efficiency. Consequently all new dwellings are required to comply with the national water efficiency standard, as set out in part G of the Building Regulations (2010) as amended. A condition is recommended to ensure compliance with this Building Regulation requirement.

- 3.17 Policy ENV9 requires all new dwellings to achieve Code Level 4 of the Code for Sustainable Homes as a minimum. The Ministerial Statement relating to technical standards has not changed policy in respect of energy performance and this requirement still therefore applies; a condition is recommended to require that the dwellings achieve this as a minimum.
- 3.18 In light of the Ministerial Statement, which advises that planning permissions should not be granted subject to any technical housing standards other than those relating to internal space, water efficiency and access, the requirement in Policy ENV9 that a specific Code for Sustainable Homes level be achieved and the requirement in Policy H6 that the Lifetime Homes standard be met are now no longer sought.

### **Highways and Parking**

- 3.19 ECC Highways has been consulted for its comment. It does not raise concern with the proposal, but suggests that various conditions be attached to an approval. Whilst concerns have been raised from local residents with regard to highway safety, particularly in relation to visibility and the traffic in London Hill, ECC does not raise such concerns and therefore, it is not considered that this would represent a justified reason for refusal. All conditions suggested by ECC Highways are considered reasonable and should be attached to an approval.
- 3.20 The Parking Standards: Design and Good Practice Supplementary Planning Document adopted in December 2010 requires that properties with two bedrooms or more should have a minimum of two off-street parking spaces per dwelling. Garages must measure 7m x 3m internally to be considered usable spaces and driveway spaces 5.5m x 2.9m. An integral garage is shown for the proposed dwellings, which adheres to these measurements. There is a corner section of the garages, which reduces to 6m. However, it is still considered that these would represent usable parking spaces. One driveway space per plot would be provided in accordance with the 5.5m x 2.9m criteria. No visitor parking spaces are provided but this is not considered necessary for this quantity of dwellings and the site is within short walking distance of Rayleigh town centre where public car parks and sustainable transport options are available. 1 secure covered space for a bicycle is also required, which is shown to be provided within the garage on each plot.

### **Ecology**

- 3.21 The garden area of this bungalow is quite wild in nature with a pond located in the centre to the rear. Natural England Standing advice states that there is the potential for species to be present in large suburban gardens such as this. With preserved trees located within the garden area there is also the potential for bats to be present. A protected species survey has been submitted with the application for consideration, which concludes as follows:-

### Bats

- 3.22 No evidence of bats was found in No. 30 London Hill and its out building. The out building was considered to have no potential as a roosting place; the same conclusion was reached with regard to two sheds in the garden area of No. 30. No evidence of bats was found at the site. (There is no mention of whether No. 28 was also surveyed, however, as this dwelling is not to be demolished and would not form part of the new development albeit is located within the site boundary, it is not considered objectionable that there is no reference to it). The vegetation at the site all lacked crevices, woodpecker holes or loose bark that might offer potential roosting places for bats. It is probable that bats will forage across the site and in the gardens of neighbouring properties. This behaviour is expected to continue after any building work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population. No further surveys are recommended.

### Barn owls

- 3.23 The survey found no presence of barn owls and the site was considered unsuitable for this species.

### Reptiles

- 3.24 There are no garden features that might be attractive to basking by reptiles and no suitable habitat nearby from which the site could be colonised by reptiles.

### Great Crested Newts

- 3.25 A pond in the rear garden is stocked with fish that would have made the site unsuitable for great crested newts.

### Badgers

- 3.26 No evidence of digging by badgers was found or setts although snuffle holes, latrines, paths and gaps in the shrubs were discovered. As the site and the neighbouring grounds are widely used as a foraging area by badgers it is recommended that a further survey be undertaken prior to work commencing to ensure that no new underground tunnels are present. Mitigation is suggested including the retention of gaps in fences, no artificial light to be used and trenches left overnight should be covered by boards or have sloping boards placed within them.
- 3.27 The Council's ecological consultant does not object to the proposal. It is considered that as long as the mitigation suggested with regard to badgers is undertaken and a survey submitted for consideration prior to works commencing, there is no objection to the proposal on ecological grounds.

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### Trees and Archaeology

- 3.28 There are three trees subject to Tree Preservation Order (TPO) on the site:- 03/91 T1 ash situated in the eastern aspect of the site within a small stretch of land at the rear of 14a and 14b, 12/11 T1 and T2 oak situated in the rear garden of No. 30 and 11/84 situated beyond the north eastern boundary in adjacent land. The application is supported by an arboricultural survey, arboricultural impact assessment and arboricultural method statement.
- 3.29 The application proposes 6 trees for removal: T3 (C2 category), G4 (C2), T5 (B2), T9 (B1), T10 (C2) and T11 (C2). Four of C category and two of B category. The TPO trees would remain. The arboricultural impact assessment explains that planting in the front gardens should not exceed hedgerow and low shrubs (to avoid over shading south facing windows). However, it is considered that due to the quantity of vegetation removal to the frontage and the site's location in the Conservation Area that additional trees to the frontage should be provided as per the comments of the arboriculturalist. It is also considered, as per the comments of the Council's arboriculturalist, that trees T10 and T11 should be retained as there is no specific reason for their removal to facilitate the build. Whilst he does seek retention of the bay tree this is in the location of the access and it is not considered there is any particular justification for its retention; further tree planting would balance its removal. The arboricultural impact assessment explains that all proposed buildings and hard surfacing will be sited outside the root protection areas of retained trees.
- 3.30 The arboricultural reports do not show the trees within the grounds of No. 28. However, as no construction works are proposed within this area this is not considered objectionable. The Council's arboriculturalist does not object to the proposal. A planning condition requiring the method statement to be adhered to should be attached to an approval.
- 3.31 The ECC Archaeology team advises that the proposed development lies adjacent to the historic core of Rayleigh (EHER 13575), which may have been utilised for industrial or other activities, and is therefore of potential archaeological interest. They state that it is possible that medieval and post-medieval archaeological deposits will survive in this area. On this basis they suggest a condition be attached to an approval requiring a programme of archaeological work which should be attached to an approval.

### Drainage

- 3.32 Limited detail has been provided with regard to surface water drainage. The design and access statement confirms the proposed use of block paving which, as long as it's engineered sufficiently, would be considered permeable. Whilst this would assist with drainage requirements at the site, due to the land level differences and the greater quantity of hard surfacing that would result, together with comments from residents regarding the natural stream in the

area, it is important to ensure that drainage is sufficiently addressed. Sustainable Urban Drainage (SUDs) measures should be incorporated including methods to prevent surface water running onto the highway. Such detail, including the need for permeable paving, should be attached to an approval.

### **Residential Amenity**

- 3.33 The neighbours directly affected by the proposed development would be No. 28 to the south east and No. 32 to the north west. Whilst No. 28 is located within the site area of the application, impact upon the occupiers of this property must still be considered to ensure sustainable and well designed dwellings that consider residential amenity.
- 3.34 The 45 degree angle would be breached for No. 28. This is partly due to the depth of the dwellings proposed in relation to the angle of No. 28 and the application site. However, it must also be considered that the application site would be lower than No. 28. Therefore it is not considered that the breach of the 45 degree angle would generate unacceptable overshadowing. It should be noted that the 45 degree angle is used to assess first floor rear extensions to existing dwellings, but is also a useful guide to assess impact on new build dwellings upon existing properties. No. 28 has a rear garden with a narrow width of 7m. The built form proposed at plot 3 would equate to a total of 6.2m beyond the rear elevation of No. 28, 3.4m of this would be at two storey level. It is considered that the reduction in depth made as part of the revised drawings, combined with the lesser height of plot 3 in relation to No. 28, would ensure that the proposal would not be detrimental to the occupiers of this property. The 45 degree angle would not be breached for No. 32.
- 3.35 During the course of the application concerns were raised with regard to the potential impact of the proposal upon the occupiers of No. 32 in terms of the scale of the proposal sought at plot 1. This was particularly due to the land level differences between the two plots. As a result, revised drawings were provided, which accurately depicted No. 32 (as this property had previously been shown incorrectly on the layout drawing), reduced the depth of the dwelling proposed to plot 1, moved the garage slightly further from the boundary and changed the roof style to the garage.
- 3.36 As a result, the two storey section of the proposal closest to No. 32 would be in line with the rear elevation of No. 32, the ground floor lean to would project 2.5m beyond the rear elevation of No. 32. There would be a section of two storey that would protrude beyond the rear elevation of No. 32 by approximately 1m located approximately 4.4m from the boundary. The garage would now be sited 0.4m from the boundary and would have a hipped roof to reduce its visual dominance. Whilst there is a land level difference and plot 1 would appear more overbearing than the existing bungalow upon the occupiers of No. 32, it is no longer considered that this would be to a significant and detrimental degree to justify refusal of this application.

- 3.37 New proposed dormers face inwards towards the individual plots rather than out towards No. 28 and No. 32 to avoid any unacceptable overlooking. All side facing dormers would serve landings/staircases. For plots 2 and 3 their dormer windows would directly face one another and would be required to be obscure glazed and fixed shut below a height of 1.7m to avoid unacceptable overlooking between these plots. It is not considered that the side facing dormer to plot 1 would generate unacceptable overlooking to plot 2. The rear facing dormers would not generate unacceptable overlooking. No side elevation windows are proposed to the new dwellings therefore no unacceptable overlooking would result. All three plots have balconies, with the potential for overlooking to the side. The revised plans now show high level screens to prevent unacceptable overlooking between plots and to No. 28 and No. 32. These would need to be 1.7m high to ensure privacy is protected.
- 3.38 No. 28 has a number of windows to its side elevation that are likely to experience some loss of light. It assists that the application site is on lower ground level as this would reduce impact on these windows and No. 28 in general. It is considered that due to this land level difference, combined with the 1m separation at first floor and hipped roofing, it would ensure that some light would still be able to reach these windows. No. 28 has a balcony at first floor which would provide views towards plot 3. This would not represent a reason to refuse the application, any purchaser of plot 3 would be aware of the existing balcony to No. 28. No. 32 has a first floor side elevation window serving a bathroom. However, due to the 4.5m distance between the side elevation of plot 1 and the side elevation of No. 32 it is unlikely that this first floor side window would experience unacceptable loss of light. It also serves a bathroom where protracted periods of time are unlikely to be spent so it would not be reasonable to refuse the application on the basis of light loss to this window.
- 3.39 The proposal would not be considered to have a detrimental impact upon any dwellings directly opposite the application site.

#### **4 REPRESENTATIONS**

##### **Rayleigh Town Council**

##### FIRST RESPONSE

- 4.1 Objects to this application as there are concerns with the adjacent property (28) being overlooked and there is not enough parking amenity for a 5-bedroomed house on an already restricted road.

##### SECOND RESPONSE

- 4.2 Members noted the above amendments, however the Town Council objects to this application as there is not enough parking amenity for a 5-bedroomed house on an already restricted road.

**RDC Ecology**

- 4.3 I have no concerns and I am in agreement with the conclusions of the ecological report.

**RDC Arboriculturalist**

- 4.4 The bay tree to the front boundary, within group G4, should be retained to maintain green amenity for London Hill.
- 4.5 Trees T10 and T11 can be retained and will help maintain tree amenity and break the roof line and hard landscape of the finished build. I could not see any difference, in terms of location and category grading, between these trees indicated for removal and trees T6, T12 and T13 indicated for retention.
- 4.6 I would recommend the following as conditions of consent:-
- A revised tree protection plan be submitted to and approved by RDC that accounts for the above alterations/recommendations.
  - The development shall be carried out in accordance with the method statement and revised tree protection plan (as detailed above) supplied by PJ Consultancy.
  - All trees shown to be retained on the revised tree protection plan are to be protected from development, as detailed within the supplied plans and report submitted by PJ Consultancy and in accordance with British Standard 5837. The barrier protection will display all weather notices demarcating construction exclusion zone as detailed in British Standard 5837. There will be no development activity permitted within the construction exclusion zone.

**FURTHER COMMENTS**

- 4.7 I would recommend a condition for replanting to the front:-
- Outside plot 1 - 1 heavy standard, container grown amelanchier lamarakii.
  - Outside plot 2 - 1 heavy standard, container grown prunus amanogawa

**ECC Conservation**

- 4.8 Comments as follows:-

**FIRST RESPONSE**

- 4.9 The site is located on the entrance into the Rayleigh Conservation Area, opposite two pairs of 19th century red brick semi-detached cottages, which make a positive contribution to the character and appearance of the

Conservation Area, and are identified as doing so in the Conservation Area Appraisal.

- 4.10 The existing bungalow makes no real contribution to the setting of the Conservation Area, and as such I would have no objection to its removal. This being said it does not make a negative contribution to the setting of the Conservation Area, so there is no strong conservation justification for its removal. The northern side of London Road is now characterised by a fairly eclectic mix of twentieth century housing, and as such I would also have no objection to the erection of modern housing on the site.
- 4.11 However, the erection of three houses on the site would seem to be an over-development, which would create a cramped feel on the site, particularly as the housing on London Road currently enjoys rather large and well spaced plots. The proposed development would thereby prejudice the currently fairly neutral impact which the current housing on London Road has on the visual appearance of this entrance into the Conservation Area. If the applicant was to reduce the number of houses from three to two, and space them out within the plot, or pair them together, this would alleviate my objection.
- 4.12 I am also not convinced by some elements of the design. Whilst it is true to note that there is a fairly wide range of architectural styles along this side of London Road, and as such I would not rigorously recommend one specific design over another, I feel that some of the features proposed would have a negative and intrusive impact on the Conservation Area. Chief amongst these is the proposed two storey glazed element in all of the buildings. I am of the opinion that this would be an intrusive element, which would be better omitted or altered, potentially to replicate a fenestration pattern more similar to that of the house directly to the west of the application site. The pitch of the roof is also far too steep and is out of keeping with the surrounding street scape. A reduction in the ridge height would allow the roof to be put at a shallower and more appropriate pitch. This would also allow for the removal of the projecting dormer window, which presents an unbalanced appearance within the proposed street scene.
- 4.13 As such I am currently not able to recommend the application be approved, as I am of the opinion that in terms of density and detailing it would have a negative impact on the Conservation Area.

#### SECOND RESPONSE

- 4.14 Following the initial consultation request, the applicant has submitted revised information. I do not, however, feel that this new information alters my original opinion. I would therefore continue to conclude that I am currently not able to recommend the application be approved, as I am of the opinion that in terms of density and detailing it would have a negative impact on the Conservation Area.

### **ECC Highways**

- 4.15 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following conditions:-
1. Prior to first occupation of the development the vehicular accesses shall be constructed as shown in planning drawing 448.200.02, at right angles to the highway boundary and to the existing carriageway. The width of each access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
  2. The provision of two parking spaces per dwelling, each parking space shall have minimum dimensions in accordance with current standards.
  3. Any garages provided shall be as shown in planning drawing 448.202.00, with their vehicular door(s) facing the highway and shall be sited a minimum of 6 metres from the highway boundary.
  4. No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.
  5. There shall be no discharge of surface water onto the highway.
  6. 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 shall be identified clear of the highway.
  7. Prior to first 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 six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.

### **ECC Archaeology**

- 4.16 Comments as follows:-
- 4.17 The proposed development lies adjacent to the historic core of Rayleigh (EHER 13575), which may have been utilised for industrial or other activities, and is therefore of potential archaeological interest. It is possible that medieval and post medieval archaeological deposits will survive in this area.
- 4.18 In view of this, the following recommendation is made in line with the National Planning Policy Framework:-
- Recommendation: Full condition - Trial trenching and excavation

'No development or preliminary groundworks 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'.

- A professional archaeological contracting team should undertake any archaeological work. There will be a financial implication for the applicant. An archaeological brief outlining the methods of investigation can be issued from this office (on request).

### **Neighbours**

- 4.19 3 responses received (27, 32 and 33 London Hill)
- 4.20 I have great concerns about the detrimental effect this huge construction project would have on both the residents and wildlife in the area.
- 4.21 Alongside the considerable disruption that would be caused by the construction vehicles and equipment that would be needed to complete the building project itself, I strongly feel that the over populating of the street that the addition of these houses would cause, would be a substantial environmental risk as well as having a detrimental and ongoing impact on the lives of the current residents of London Hill.
- 4.22 Parking and traffic congestion - Parking spaces on London Hill are in such short supply and so restricted, that I am no longer able to have a car. On the occasion that I do have use of a vehicle, I am aware that parking it outside my house causes congestion to traffic and pedestrians; out of consideration to other road users I pay to use the local car parks. The addition of three houses without adequate parking and the numerous cars that would likely come with this, would cause a complete road block, not just as a result of the lack of parking, but because of the increased traffic flow to and from the street. Traffic on London Hill is already so bad that you cannot drive as far as the High Street on weekends without considerable tail backs.
- 4.23 Wildlife - With such a substantial area of National Trust land just opposite the proposed development site and the level of wildlife in the area, such a large building project that would disturb so much natural habitat would be incredibly detrimental to the local environment.
- 4.24 Local History - With the windmill and original cottages being such a large feature of London Hill, the street plays a large part in local history. The overcrowding and modernisation that three five-bedroom houses would cause would really impact on the sense of history that all local residents take great pride in.
- 4.25 Safety - London Hill is not suitable for large construction vehicles to be parked on and the brow of the hill would be a highly dangerous place for vehicles for

two new vehicle cross overs to be built. The risk of accident comes, not just from the unsuitability of the street to host a huge construction project, but also from the ongoing flow of vehicles in and out of the proposed development site.

- 4.26 Inconvenience and disruption to residents - London Hill is a (mostly) quiet and peaceful street with beautiful views and homes that people take real pride in. This is why we have chosen to live there. The addition of three large houses would have a huge impact on the reasons we choose that street. In addition I believe this lengthy construction project would either lower house prices or make it impossible for people to sell whilst it is ongoing, should they wish to. It is a complete change to the area we all enjoy living in and is nothing but a selfish scheme to line one person's pockets at the expense of all other London Hill residents.
- 4.27 Destroying the bungalow which has had massive refurbishment recently replaced by 3 identical houses. As the road has quite different styles of property up to that point, clearly not in keeping with the road.
- 4.28 Most importantly to us we will lose privacy by so many windows facing our property.
- 4.29 The proposed development will severely be to the detriment of our property, our privacy, our enjoyment of our family home and the surrounding environment.
- 4.30 The plans have a total disregard for our property and our quality of life.
- 4.31 The plot size of number 30 London Hill is not adequate or sufficient to support three large 5-bedroomed detached properties and the intended families to live there. The design of the properties is extremely deficient in width and do not meet the required Council requirements.
- 4.32 The sole objective of this development is to squeeze three large detached properties onto the plot number 30. The proposed development is unashamedly designed with only the developer in mind.
- 4.33 As the planned properties are too narrow, the design has had to compensate for this in the excessive depth and height of the properties. This is a direct result of trying to obtain the maximum number of properties, with the maximum number of bedrooms onto the plot of number 30 and hence achieve the maximum profit.
- 4.34 We strongly object that plot 1 is being built on our immediate boundary and to the depth of all 3 plots.
- 4.35 The depth, height and immediate proximity of plot 1 will have a huge negative impact on our property and will spoil the enjoyment of our family home. Plus the re-saleability of our property will be affected.

- 4.36 The planned depth of plot 1 is 15 metres with plot 2 and 3 over this.
- 4.37 The depth of our property from the front of our property to our kitchen back door is 10 metres.
- 4.38 Therefore plot 1 will exceed ours by 5 metres and plot 2 and 3 beyond this.
- 4.39 We will be faced with the visual aspect of 5 metres of rendered wall to a height of the new proposed build on our boundary inches away from our kitchen, kitchen back door and our garden. This is unacceptable.
- 4.40 Plots 2 and 3 are intended to be over 15 metres, so each unit is of enormous depth and height and not in sympathy with the adjacent properties.
- 4.41 As per page 18 of the Design and Access Statement 'The proposed scheme has been sympathetically designed to be in keeping in terms of scale and massing in relation to the neighbouring buildings'. This is clearly not the case.
- 4.42 The intended dimensions of plots 1, 2 and 3 will dominate and dwarf our property.
- 4.43 As the rear of our property faces north east this proposed development will totally block the natural sunlight into our kitchen, our lounge, the upstairs and our main outside living space. We feel that this is not fair or right.
- 4.44 This build will make the interiors of our house dark and gloomy.
- 4.45 It will restrict the sunlight to our back garden and the decking area immediately to the rear of our property, which is essential to us as a family, as this is the only flat area that can be utilised for outside tables and chairs and socialising.
- 4.46 The physical and visual impact of the build is horrendous and gives us grave cause for concerns.
- 4.47 The build of plot 1 on the boundary will obviously severely negatively impact our home by it being inches away from us and our daily lives.
- 4.48 It will utterly destroy the current boundary of established trees, shrubs and hedges to the front and rear, and will physically and visually damage our immediate environment.
- 4.49 We are very concerned that building onto our boundary will mean that significant foundations need to be dug immediately next to our property and potentially under it.
- 4.50 We are extremely concerned that the overall build and the new foundations will cause damage to our property with the very real risk of subsidence due to

the topography and gradient of the site. Subsidence is currently affecting our side of London Hill.

- 4.51 If any plans were to be approved, we would request a Party Wall Inspection.
- 4.52 The proposed plans for plot 1 also show that the driveway will be on our immediate boundary to the front. This will require the existing retaining wall and a huge amount of earth to be removed. Plus it will require a massive amount of tree and tree root removal. This has a high risk of damaging our property and block paved drive.
- 4.53 As the planned exit route for plot 1 is a cross over to London Hill, therefore onto a busy dangerous blind bend, this has major concerns for the safety on entering and leaving our property.
- 4.54 If any plans were to be approved we would need adequate reassurance and documentation to support that no damage will be caused to our property, garden, driveway and existing trees, shrubs and hedges including their roots.
- 4.55 We strongly object to the proposed plans as there is a serious issue of overlooking and lack of privacy.
- 4.56 As the entire build will result in most, if not all, of the boundary mature shrubs, trees and historic hedges being removed front and back and the sight cleared, our privacy will be eliminated as we will be chronically overlooked.
- 4.57 Due to the topography of London Hill the gradient will cause a degree of overlooking. But, the balconies proposed to plots 1, 2 and 3 will directly overlook the rear of our house and our back garden. This is an invasion of privacy.
- 4.58 To include balconies within the design is showing total disregard and disrespect for our property and our privacy.
- 4.59 The additional driveway on our boundary and the additional two cross overs planned to London Hill will result in additional cars coming and going close to us and yet again will impact on our privacy.
- 4.60 As plots 1, 2 and 3 are designed to be family houses, the immediate proximity of the properties will, without a doubt, cause serious noise disturbance and overlooking issues to all the occupants and neighbours, again negatively affecting privacy and quality of life.
- 4.61 We also strongly object to the proposed plans as there is inadequate parking planned and the danger associated with this.
- 4.62 As per the Essex Design Guide which has been adopted by the Council, and quoted from the Design and Access Statement, "the layout allows sufficient space to the frontage for vehicle access and turning, as well as

accommodating sufficient parking to each dwelling." The proposed development does not meet these criteria.

- 4.63 The inadequate plot size of number 30 and the design for three large 5-bedroomed detached family properties has resulted in only 6 parking spaces, and with no visible turning space on the plans. The potential numbers of cars which may (now or in the foreseeable future) wish to park there are not adequately catered for.
- 4.64 Three of the planned parking spaces are inside the integral garages, which are of minimal width and depth, therefore rendering them unsuitable for the modern family car.
- 4.65 As there are strict parking restrictions in place on London Hill, parking for additional cars will cause local parking problems.
- 4.66 London Hill is a busy dangerous road with cars and lorries going up and down the hill, mostly exceeding the speed limit. The increased traffic on the hill and speeding is now worse than ever.
- 4.67 Number 30 is directly situated on a very dangerous blind bend which already causes concerns, and on the steepest part of the hill. Any car parked on this road, day or night, is in serious danger of causing an accident to vehicles and pedestrians. This is a major risk factor.
- 4.68 The two additional proposed cross overs to London Hill also hugely increase the risk of accidents to cars and pedestrians with the increased amount of vehicle activity and therefore are inappropriate at this site.
- 4.69 Drainage - On the application document number 12 and the assessment of flood risk, the developer has said no. However, we are aware that a natural stream runs from the top of London Hill and runs down the length of the hill under the gardens.
- 4.70 We understand that most of the stream has been piped, however, we know that the previous owner of number 30 redirected the stream from his boundary to flow into a series of ponds to create a water feature that still remains today.
- 4.71 The proposed build will require the historic and current ponds being filled in, and the removal of the mature trees and shrubs will result in drainage issues. Pure soak away cannot be guaranteed to rectify this, and water erosion and flooding of the area could affect our property.
- 4.72 Construction works - The physical enormity of the build proposed on the site will negatively impact on us, the whole of London Hill and the local area for the long duration of the construction.

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- 4.73 The huge amount of earth, tree, shrub and hedge removal necessary to clear the plot, along with the construction of 3 large properties, will cause severe upheaval and noise disturbance to the area and us in particular.
- 4.74 The amount of heavy lorries/vehicles visiting the site will be dangerous to cars and pedestrians, and the condition of the road will deteriorate with each visit due to the mud.
- 4.75 London Hill and the blind bend where number 30 is will be impossible for cars to pass in safety and traffic control will be required. This will result in the area being grid locked at peak times.
- 4.76 Environment and wildlife - The proposed build will have a destructive impact on the local environment and the wildlife it contains.
- 4.77 There is an active badger sett directly behind number 30. The proposed build will destroy a natural haven they use every day for food, water and toilet.
- 4.78 After speaking to the Essex Badger Protection Group they expressed concerns that the foundations will pose a serious risk to badger activity and close monitoring of the site would be needed to avoid badger deaths.
- 4.79 London Hill is an integral part of historic Rayleigh and should be protected. The opposite side of the road has been declared a designated conservation site and our side should be treated the same.
- 4.80 The removal of the mature landscape will not be enhanced by the addition of the proposed houses and their new vehicular access routes onto this dangerous part of the road.
- 4.81 To quote page 10 of the Design and Access Statement, the build should "contribute positively to making places better for people" and "involve seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life".
- 4.82 Building three 5-bedroomed detached family homes on an inadequate plot size to the detriment of the existing homes and natural environment does not achieve these goals and therefore is not fit for purpose.
- 4.83 Whilst we thought that number 30 would be developed at some stage in the future, we expected it would be a design that would be sympathetic to the neighbouring properties, the local environment and in keeping with historic London Hill.

#### **Local Residents**

- 4.84 12 responses received (20, 34, 36, 42, 44, 47, 64, 73, 81 London Hill, unknown addresses x 3) which can be summarised as follows:-

- 4.85 Although I have no objection to a development on this site I have concerns that with the size of the houses, i.e., 5 bedrooms, there would not be enough space to park within the properties' boundary. This would mean parking in the street on a blind bend. We must assume that each property has a run in, which in turn reduces the available parking on the road. London Hill over the years has more and more on street parking. Sooner or later someone or child will be knocked down and injured. The road is a main thorough fare for children going to school. Could the plans be modified to at least 3-bed buildings so the amount of cars hopefully would be reduced.
- 4.86 Three five-bedroomed detached houses we feel are not in keeping with the surrounding area and will have a massive negative impact on London Hill and the surrounding roads. If this goes ahead it could lead to 12/18 months of construction traffic coming and going causing traffic chaos to a road that already has problems on a day to day basis as the plans do not seem to show much in the way of parking facilities for the houses. Three five-bedroomed houses could mean, anything from three to ten vehicles that will need to have parking facilities. As it is we have to contend with an excessive amount of vehicles parking on London Hill every weekend due to the lack of parking facilities for the church. The whole road is used as a car park; this also includes people parking on the pavement and blocking driveways, so extra houses and more vehicles can only make matters worse.
- 4.87 The applicants do not have what we would call a good track record due to the fact that building work they started in our road (Hillview Road) at the beginning of May this year seems to have ground to a halt. We have seen no signs of any work being done for the last four months, leaving us with an eyesore of a building site and without any explanation as to why the work has come to a stop.
- 4.88 Even though the application does not directly affect our property, I do believe that the proposed development is not in keeping with the rest of London Hill. It will also increase traffic, which is already an issue for us along London Hill.
- 4.89 Although the site in question is not immediately in our view, we feel that on such a small plot, the proposal for three 5-bedroom houses, which seem to be, in effect, 3 storeys high, are an over-development and certainly not in keeping with the established adjacent properties.
- 4.90 The number of bedrooms indicate, possibly, larger families in residence resulting in, possibly, 3 cars on each frontage?
- 4.91 The main concern of residents of London Hill inevitably returns to the effect that the demolition and construction period will have with the considerable movements of heavy construction and delivery vehicle movements, parking, etc., serving the site, on one of the only two roads into, and out of, central Rayleigh, which will result in even more congestion, particularly at rush hour and weekends - regular traffic tail backs up London Hill now seems to be the

- norm, and also adding to the 'rat runs' along Station Road and to the Hockley Road.
- 4.92 Access to the site will also limit pedestrian traffic (especially young mothers with buggies and those with mobility vehicles), where the already ridiculously narrow width of the path on the other side (odd numbered), prevent usage by such traffic, causing even more conflict with road users than we have now.
- 4.93 The plot doesn't warrant three homes; it seems only to be an attempt to gain as much revenue as possible at the detriment of local residents and the character of London Hill and surrounding area.
- 4.94 Furthermore, the design of three identical houses is out of character with the varied mix of houses and bungalows on the hill and thus would look conspicuous.
- 4.95 Concerned as to the appropriateness of the application and the location of the entrance/exit of the proposed properties.
- 4.96 We live three houses away from the proposed site and the bend which starts just below the current drive of number 30 London Hill is a 'blind' bend. We have witnessed a number of occasions where traffic has come up or down the hill - often over the speed limit - and had to swerve to avoid either a parked car (on Sundays and after 6pm) or a pedestrian.
- 4.97 We objected to building work at 35 London Hill in 2013 based on the same criteria (your reference 12/00429/FUL) and traffic speeds have, if anything, got worse since that time.
- 4.98 In this case we also feel the number of properties which the developer is looking to build on the current site to be excessive for the space available. The proposed houses also appear to have very little parking provision, especially when you consider the number of bedrooms each house has (five per property) and potential number of cars which may (now or in the foreseeable future) wish to park there.
- 4.99 These concerns would also apply to the heavy vehicles which would no doubt be visiting the site during the construction.
- 4.100 We feel this development would have a detrimental effect on London Hill which, as a historic road in Rayleigh features some of the oldest properties in the town, and would not in any way be enhanced by the addition of the proposed houses and their new vehicular access routes at this dangerous part of the road.
- 4.101 If these houses are built there is the possibility of at least another fifteen cars to park on and use London Hill; the hill is already far too busy and dangerous.

- 4.102 The impact of three large houses will not only change the look and rural feel of our hill, I believe there will also be a massive impact on the wildlife in this area. There is a badger run which crosses the road and enters number 30's front garden. The badgers and foxes use our back gardens to navigate the local area. Owls also nest in the trees at the rear of these houses. We are lucky enough to have a great variety of birds in our rear gardens, from wrens to woodpeckers, jays and bats.
- 4.103 When I stand in my rear garden and look towards number 30 I see a beautiful wooded area. If these houses are built these big trees will have to come down and all of our rear gardens will be overlooked.
- 4.104 We moved to this area for its rural and historic appeal.
- 4.105 Please consider how many people will be affected by this planning application. It isn't just the immediate neighbours - in one way or another it will affect us all.
- 4.106 We feel that the proposed access to the site is in a very dangerous position on the London Hill, right at the beginning of a bend, on a hill with a camber in the road.
- 4.107 We have had our own vehicles hit four times whilst parked outside our property, all resulting in extensive damage to the vehicles involved and the last incident injuring a schoolboy pedestrian.
- 4.108 A vehicle was also hit a short while ago whilst parked outside number 36, and a car travelling from the town actually lost control on the camber of the bend, resulting in the vehicle landing in the hedge of the proposed development site. Whenever Crown Hill is congested, which happens on a regular basis, we experience people using London Hill as a 'rat run' travelling at high speeds to make up time. This also includes heavy vehicles.
- 4.109 When we were applying for planning permission to extend our own property into a five-bedroom dwelling we were expected to provide parking for at least four vehicles. We were also told that we were unable to have an 'in out' driveway as these were no longer being permitted on London Hill as it was classed as a 'traffic sensitive' road. By that reckoning, we would expect there to be at least twelve vehicles using regular access to the new development without taking into consideration any visitors to the properties. This would be highly likely, resulting in further vehicles frequenting the road, usually at busy times.
- 4.110 Finally, aside from the safety aspect of this development, we will be very saddened by the loss of wildlife which has been established for many years on the site, which we know houses badgers, foxes, bats and many other creatures, which the previous owner, who resided there for many years, took great pride in their conservation.

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- 4.111 I am very concerned about the application being on the blind bend. The additional traffic it would cause coming on and off the driveways of the new houses and the traffic visiting the houses would need to park on the road, thus causing a danger. The road is very dangerous on weekends or evenings when cars are parked on the road already.
- 4.112 The heavy construction vehicles at that point of the road would also make the road very treacherous.
- 4.113 Only a few weeks back as I drove from the top of London Hill with my 5 year old, a young person had just been knocked over on the bend. The person was obviously not too good as they were lying in the road. There were two ladies asking me to wait and stopping the traffic. The young person was lying unconscious in the road. An ambulance was on its way. My five year old was also in the car and could see the person lying in the road. She has experienced considerable distress losing her father and grandmother in the last few years (we had an air ambulance land in the church of London Hill). It brought back a lot of memories and distress to see this person lying in the road for both of us.
- 4.114 If the houses are built the road would become even more dangerous and I feel one day it could be my daughter lying in the road due to the potential additional traffic that would be parked on the blind bend; regardless of what side of the bend it is there is still a considerable danger.
- 4.115 Also, in the past years the road gets very icy and there have been accidents in the winter on the road. At some points taxis do not want to go down the road as it is too treacherous. And again there have been accidents at this point.
- 4.116 This application is opposite the windmill and mount, which is part of the National Trust. The badgers are prevalent in this area and I understand they reside round the back of this plot. I feel it would affect the preservation of nature in the area.
- 4.117 The street scene is very important within the community of Rayleigh and this would be detrimental not only to the street but also to Rayleigh as a town. There are listed buildings in the street, which attract visitors to Rayleigh. This would definitely be detrimental to the community of Rayleigh town.
- 4.118 Why so many houses? It seems this application does not comply with the constraints set by Rochford District Council and is obviously over crowded. It appears this developer is trying to push the boundaries set out by the Council have not taken into consideration the above.
- 4.119 I understand there will be overlooking on plot 3, which they currently do not have.

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- 4.120 3 properties occupying the width of this site, we feel, is over-development with regard to: rear access, light, neighbouring properties, especially No. 32 with building on the site boundary and light and will have the appearance of a terrace of houses.
- 4.121 A five-bedroomed house, possibly 9 persons, would expect at least 3 cars/vehicles - integral garages do not easily accommodate modern cars, and tend to be used as glorified sheds. Extra parking would be needed. London Hill has restricted weekday parking and no street lighting at night.
- 4.122 Two properties of this design would be fitting on London Hill, but not 3 which are being squeezed onto this plot.
- 4.123 I have recently seen that there is already a 'green light' given to 500 new homes in the Rayleigh area, which will just bring more congestion to over crowded roads, therefore adding to this, and doing so on a plot that has not got enough space to fully accommodate 3 x 5-bed houses.
- 4.124 The area is on a blind bend that would make it more dangerous than it already is, adding to the traffic congestion to and from the High Street.
- 4.125 There would not be enough parking for these plots, if a 5-bed house then there would be a minimum of 3 cars each.
- 4.126 The application and distances from the road and neighbouring house does not seem to meet with the constraints set out by Rochford District Council and clearly overlooks the neighbours and over crowds the plot from the plans.
- 4.127 I am not against people making a profit from any business, which clearly seems to be the intent of the developers and from the plans shows that the consideration for the street, neighbours, nature, community, parking, etc., has not been taken into account.
- 4.128 Looking at the plans the neighbouring houses on the lower side to the left will have their privacy and views changed dramatically.
- 4.129 This will alter the landscape for the surrounding area dramatically, and I feel that this is negative.
- 4.130 If they go ahead for the development of 500 new homes is now happening, then these plots should be re-considered due to the fact that there is no need to develop an area that will then become over crowded, add to the already heavy traffic, add to the danger on such a blind bend. There is no need to over crowd such a plot and cause distress for surrounding neighbours and wildlife, and bring more unnecessary traffic.
- 4.131 There are listed properties on London Hill and these new properties will take away the feel and look that Rayleigh is famous for and attracts visitors.

4.132 I object to this. I brought a property on London Hill because of the feel and look of the area, the space surrounding it; if this plan goes ahead that feeling will be lost.

4.133 As previously mentioned, the blind bend has to be taken into account when considering the amount of new traffic that would come from the 3 plots, when built and whilst being built.

## 5 RECOMMENDATION

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

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

- 1 SC4B Time Limits Full - Standard
- 2 Prior to first use of any external materials to construct the dwellings hereby approved, details of all external facing (including windows and doors) and roofing materials to be used in the development shall be 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.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope, bordering the Rayleigh Conservation Area and in close proximity to residential neighbours, the sourcing of high quality materials is fundamental to the success of the development and must be considered prior to works occurring. Although some details have been provided it is considered that further detail, including samples, should be provided due to the site's location.

- 3 Prior to occupation of the dwellings hereby approved plans and particulars showing precise details of the hard and soft landscaping shall have been submitted to and agreed in writing by the Local Planning Authority. This shall include details of:-
  - schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted
  - 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

Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority 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.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope, bordering the Rayleigh Conservation Area and in close proximity to residential neighbours the acceptability of landscaping is fundamental to the success of the development and must be considered prior to works occurring.

- 4 Prior to works commencing, site section drawings showing the proposed levels across the site and any intended retaining walls in relation to neighbouring properties shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed, such levels shall be implemented on site.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope in close proximity to residential neighbours within the Conservation Area of Rayleigh it is important that acceptable land levels are implemented and such levels must be considered prior to works occurring.

- 5 The dwellings at plots 1 and 3 shall be internally altered to ensure that they comply with the national space standard as set out in the DCLG Technical Housing Standards - nationally described space standard March 2015.
- 6 Part G (water efficiency) of the Building Regulations (2010) (as amended) shall be met for each of the dwellings on the site and be permanently retained thereafter.
- 7 Code Level 4 of the Code for Sustainable Homes in respect of energy performance shall be met for each dwelling hereby approved.
- 8 Prior to first occupation of the development the vehicular accesses shall be constructed as shown on drawing no. 448.200.04 date stamped 20 November 2015, at right angles to the highway boundary and to the existing carriageway. The width of each access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 9 Prior to first use of the dwellings hereby approved, one parking space measuring 5.5m x 2.9m each shall be provided to the site frontage of each dwelling and shall be retained and used solely for the parking of vehicles. The garages shall be provided in accordance with the

approved plans and retained for use solely for the parking of a vehicle in perpetuity.

- 10 Any garages provided with their vehicular doors facing the highway shall be sited a minimum of 6 metres from the highway boundary.
- 11 No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.
- 12 Prior to occupation of the dwellings hereby approved, plans and particulars showing precise details of instant impact trees to the site frontage shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, such trees shall be implemented on site 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 trees 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.
- 13 Prior to commencement of the development, areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials shall be provided clear of the highway.

Prior to commencement justification: Given the location of the development on a slope on a well used classified road it is considered important for highway safety reasoning to ensure that appropriate areas are provided on-site prior to works commencing.

- 14 Prior to first occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.
- 15 Prior to works commencing, a further survey shall be undertaken to investigate for the presence of underground tunnels used by badgers at the site and the results of such survey shall be submitted to and agreed in writing with the Local Planning Authority including any required mitigation which shall be undertaken to a timeframe agreed by the LPA

Prior to commencement justification: Given the results of the ecological report, it is necessary to ensure that no new tunnels have been formed at the site for this protected species prior to commencement of the development as there is the potential for a delay between the time the survey was undertaken and works commencing on site.

- 16 Ecological mitigation identified within the protected species survey prepared by John Dobson dated September 2015 and identified within the required additional survey under condition 15 (once agreed) shall be implemented on site.
- 17 Prior to works commencing, details of surface water drainage arrangements for the site shall be submitted to and agreed in writing with the Local Planning Authority including details to ensure no discharge of surface water onto the highway. Once agreed, such arrangements shall be implemented on site.
- Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope on a well used road and in close proximity to residential neighbours the acceptability of drainage arrangements is fundamental to the success of the development and must be considered prior to works occurring.
- 18 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) the windows marked OBS on the approved drawings no. 448.202.01 and 448.207.00 date stamped 20 November 2015, shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.
- 19 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) no enlargement of or the provision of additional windows, door or other means of opening shall be inserted on the side elevation (west) of plot 1 and the side elevation (east) of plot 3.
- 20 Prior to first use of the balconies hereby approved, a 1.7m obscure screen/fence measured from finished floor level shall be installed to the side elevations of each balcony.
- 21 Prior to works commencing, a revised tree protection plan shall be submitted to and agreed in writing by the Local Planning Authority showing retention and protection of trees T10 and T11. Once agreed, the development shall be undertaken in accordance with the revised tree protection plan and method statement.

Prior to commencement justification: Given the importance of soft landscaping and tree retention on the site due to the site's location within the Conservation Area and its current soft landscaped condition, it is important to ensure that prior to works commencing, the

developers identify the two additional trees which could be retained and protected during the course of development.

- 22 No development or preliminary 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.

Prior to commencement justification: Given the location of the development, as identified by ECC as being adjacent to the historic core of Raleigh where medieval and post medieval archaeological deposits may survive, it is important to ensure that prior to works commencing any possible deposits are explored.

### **Reason for Decision**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns.

As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, assessed against the adopted Development Plan, and 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.

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

Policies H1, H5, H6, CP1, ENV1, ENV9, CLT1, CLT5, CLT7, T1, T3 and T8 of the Core Strategy 2011

Policies DM1, DM2, DM3, DM4, DM5, DM9, DM25, DM26, DM27, DM30 of the Development Management Plan 2014

Supplementary Planning Document 2

Parking Standards: Design and Good Practice Supplementary Planning

Document adopted December 2010

National Planning Policy Framework



Christine Lyons  
Assistant Director, Planning Services

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For further information please contact Claire Buckley on:-

Phone: 01702 318194

Email: [claire.buckley@rochford.gov.uk](mailto:claire.buckley@rochford.gov.uk)

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

