

PLANNING SERVICES COMMITTEE - 22 January 2004 Item R4 Referred Item

TITLE : 03/00083/FUL
ERECT 4 BED DETACHED HOUSE (DEMOLISH EXISTING
GARAGES) AND CREATION OF AN VEHICULAR ACCESS
ONTO HIGH ROAD
36 HIGH ROAD RAYLEIGH

APPLICANT: MS D GRIFFIN

ZONING: RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

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

This application was included in Weekly List no. 708 requiring notification of referrals to the Head of Planning Services by 1.00 pm on Tuesday, 13 January 2004, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs M J Webster.

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

- 4.1 **Rayleigh Town Council** – Object to the application as it is an unacceptable form of back land development and is detrimental.

NOTES

- 4.2 This proposal seeks planning permission for the erection of a 4 bedroom detached house, to be accessed via an existing vehicular access onto The Ridgeway. It also involves demolition of the existing garages on site. The existing application follows two previous planning applications that have been refused. The application includes the formation of a new vehicular access onto High Road to serve the existing Rayleigh House units of accommodation.

- 4.3 **Highways** - The proposal is significantly different from the previous refusal, based on two dwellings. The design resultant from this change reduces significantly the proposal's impact on surrounding properties. At the same time the previous highways' objection is overcome resultant from the relocation and consequent improvement in terms of highway safety brought about by the proposed vehicular access, serving Rayleigh House. The existing substandard access off High Road will be closed. Members should note that the County Surveyor's previous objection was based on the loss of egress via Ridgeway for the residential properties at Rayleigh House. The permission granted consent in 2000 for 7 units at Rayleigh House was based on a one-way system, rather than the sole use of a sub-standard access from High Road. Therefore, the proposed new access ensures a satisfactory access arrangement for Rayleigh House as well as the Ridgeway access for the new property.
- 4.4 **The Dwelling** - While the proposal introduces development to the rear of neighbouring properties, the proposal is not considered unacceptable back-land development. The proposal's outlook and relationship to surrounding properties, as well as the reduction to one dwelling and the resultant design, ensures minimal impact. First floor windows to the rear give an appearance of a single storey dwelling with skylights in the roof. These introduce light to the landing area and bathroom facilities and can be obscure glazed and controlled via condition. Their function and form of use also reduces concerns of overlooking.
- 4.5 The proposal is acceptable in terms of parking, garden area, etc. Currently the garages are disused. It is proposed to increase the number of spaces at Rayleigh House to replace the spaces lost here. Neighbour responses raised concern about pedestrian safety at the Ridgeway entrance. Clearly this view is unsustainable given the number of vehicles that could quite lawfully use the access. Another concern focuses on a dispute over land ownership. The land in question forms part of the proposed garden area and lies to the north end of the garage block. A small strip of land inaccessible until now, which a neighbour has taken into their care at some time during the past, is a matter between those parties and does not impact on consideration of this application.
- 4.6 **Protected Trees** - A Tree Preservation Order protects trees in the immediate area. The only concern raised by the current proposal focuses in those trees nearest the proposed new access from High Road, given the levels in the immediate area and need to remove soil. The applicant has presented an arboricultural appraisal and the Council's Woodland Officer is satisfied by its findings.
- 4.7 **To conclude** - For the purpose of comparison the previous refusal was based on:
- The relationship between the new and existing development (Clearly a two storey dwelling to front and rear.)
 - Impact of parking under the protected cedar tree
 - Classified Highway loss of egress via Ridgeway.
- 4.8 The current proposal is for:
- One dwelling that has reduced the impact on its neighbours, with a 1 1/2 storey design to the rear.
- And,

- Addresses the substandard access from High Road, to overcome the previous objection
- Removes the parking issue.
- Any impact on the protected trees to the front of the site is satisfactorily addressed.

First Round Consultation

- 4.9 Four Householder letters - received concerned with in the main:
- Noise
 - Traffic movements
 - Vehicular access from Ridgeway
 - Lack of parking (loss of garages)
 - Loss of light
 - Over-looking
 - Loss of privacy
 - Protected trees will be affected
 - Increasing density
 - Less than 100 square metres of garden area
- 4.10 **Anglian Water** – No comments.
Rayleigh Civic Society – This application still constitutes back land development the footprint of this dwelling is only marginally smaller than the minimum required for a pair of semi-detached dwellings, which was refused. The access to this dwelling is not good and the visual and residential amenity of nearby dwellings would be adversely affected.
- 4.11 **County Planner (Archaeology)** – No archaeological recommendations.
- 4.12 **County Surveyor (Highways)** – Objection. (Note: this response was based on the original proposal that did not include the creation of an access to High Road. This was subsequently included in revised plans for a second round of public consultation.)
- 4.13 **Housing, Health and Community Care** – No adverse comments subject to standard informative SI16 (Control of Nuisances).
- 4.14 **County Planner (Arboriculturalist)** – A horse chestnut in the garden of 19 Ridgeway is covered by a Tree Preservation Order, ref: 5/57 W3. Any excavation work carried out within the canopy of the protected tree is done by hand and that no materials are stored in the north east corner of the plot.

Second Re-consultation to include access

- 4.15 Three Householder letters - received reiterating the objections received during the first consultation.
- 4.16 **Housing, Health and Community Care** – No adverse comments subject to Informative: Control of Nuisances being attached.

- 4.17 **County Surveyor (Highways)** – No objection subject to conditions regarding visibility splays, access width, gradient and drainage.
- 4.18 **District Engineer** - No objection, observations.
- 4.19 **Woodlands and Environmental Specialist** - The detail and information (of Aboriculturalist Report) supplied is sufficient

Third Re-consultation to include access

- 4.20 One Householder letter - reiterate their earlier comments.
- 4.21 **Housing Health and Community Care** - No adverse comments subject to S16 (control of Nuisance).
- 4.22 **County Planner - landscape and Ecology** - Advisory comments re protection of trees during development.
- 4.23 **County Planner (Archaeology)** - No recommendation to make.
- 4.24 **District Engineer** - No observations.
- 4.25 **Housing and Environmental Specialist** - proposals detail are acceptable

APPROVE

- 1 SC4Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC23 PD Restricted - OBS Glazing
- 4 SC75 Parking and Turning Space
- 5 SC68 Vehicular Access - Details
- 6 SC64 Visibility Splays - Details (Condition)
- 7 SC66 Pedestrian Visibility Splays (Single)
- 8 The new vehicle access to be constructed to a minimum width of 4.1m with a suitable spay from the highway boundary to the dropped kerb.
- 9 The gradient of the new access to be no more than 4% for the first 5 metres from the carriageway edge on the High Road and thereafter to be no more than 8%.
- 10 Suitable drainage collection point to be provided to ensure that surface water from the new access does not drain onto the highway.
- 11 At its junction with High Road the new access should be aligned at 90 degrees to the main Road for a minimum of 6 metres into the site as detailed in the approved drawing SK01 dated 15/12/2003.
- 13 SC22 PD Restricted - Windows (Above FFFF Lvl)

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Relevant Development Plan Policies and Proposals:

H11 of the Rochford District Local Plan First Review

A handwritten signature in black ink, appearing to read 'Shaun Scrutton', is positioned to the left of a vertical line.

Shaun Scrutton
Head of Planning Services

For further information please contact Lee Walton on (01702) 546366.

03/00083/FUL



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