
REFERRED ITEM 4

**TITLE: 10/00010/FUL
DEMOLISH EXISTING BUNGALOW AND CONSTRUCT
DETACHED FOUR-BEDROOMED CHALET BUNGALOW
AND DETACHED SINGLE STOREY GARAGE
43 HULLBRIDGE ROAD RAYLEIGH**

APPLICANT: MRS SAM FOREMAN

ZONING: RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: DOWNHALL AND RAWRETH

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

This application was included in Weekly List no. 1025 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on 24 March 2010, with any applications being referred to this meeting of the Committee. The item was referred by Cllr C I Black.

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

4.1 Rayleigh Town Council – No Objections

NOTES

- 4.2 Planning permission is sought to demolish the existing bungalow and construct a detached four-bedroomed chalet bungalow with a detached single storey pitched roofed garage.
- 4.3 The application site is located to the western side of Hullbridge Road within the residential envelope of Rayleigh. Hullbridge Road is a main vehicular access into and out of Rayleigh and the district beyond and as such remains fairly busy throughout the day. Hambro parade is located approximately 35m north of the site, which attracts a fair number of visitors on a daily basis. The existing dwelling on site is one of 13 properties along this part of Hullbridge Road which are significantly set back from the highway, with the alignment of the properties following the bend in the road. The site is currently accessed via a long driveway which extends along the northern boundary of the site.

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- 4.4 The existing dwelling is a detached bungalow. This dwelling has been altered upon its original form with the incorporation of a single storey flat roofed rear extension and a car port and garage to the northern side elevation. The character of the surrounding area presents a somewhat eclectic collection of dwellings, with examples of bungalows, chalets and houses to varying designs and scales. Immediately adjacent to the site, no. 41 is a semi detached bungalow, no. 45 is a detached chalet. No. 27- 41 are all semi detached bungalows, the majority of which appear to have been significantly altered upon their original intended design, with the incorporation of flat roofed rear extensions and flat roofed front and rear dormer additions.
- 4.5 The application proposes to demolish the existing bungalow and construct a four-bedroomed chalet. Council guidance stipulates that in the case of infill developments a minimum of 1m separation should be achieved in all cases between the side boundaries and the habitable rooms of the dwelling house. In all cases, however, the building separation required should be compatible to the residential development and the character of the existing neighbourhood. The application satisfies this requirement by providing 1m between the dwelling and the northern boundary and between 1m and 1.7m between the dwelling and the southern boundary.
- 4.6 The site is significantly deep and tapers in width between 6m adjacent to the highway and 12m to the rear boundary. The width of the site at the point of the front building line of the proposed dwelling is 11m. It is considered that the site achieves an adequate site frontage to enable the re-development of the site with a detached property.
- 4.7 The plans indicate that approximately 164m² of private amenity space will be provided to the rear of the property. This is well in excess of the 100m² thought necessary, as detailed within Council guidance.
- 4.8 It is considered that the proposed dwelling fits comfortably within the site and does not give rise to an over-development of the plot.
- 4.9 The proposed dwelling makes no resemblance to the existing hipped roofed modest sized bungalow. The surrounding street scene presents an eclectic collection of dwellings; as such it is not considered that the proposed dwelling would appear as an anomaly within the context of the street. Although different in appearance from the hipped roofed bungalows at no. 27- 41 Hullbridge Road the design of the proposed dwelling is not too dissimilar from the design of the neighbouring property at no. 45, although slightly larger in footprint and mass. The property will reach a maximum ridge height of 6.95m, similar to that of no. 45 and approximately 1.05m greater in height than the existing dwelling. It is considered that the appearance and scale of the building is appropriate for the site and the context of the street more generally.

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- 4.10 The detached chalet presents a pitched roofed design incorporating pitched roofed dormers to the front and rear elevations and also the northern roof slope. All four proposed dormers are modest in size and fit comfortably within the roof slopes.
- 4.11 The southern elevation presents a somewhat large double pitch flank wall which will face towards no. 41. The siting of the dwellings is such that the proposed dwelling is unlikely to directly overshadow no. 41. Although the outlook from no. 41 may alter it is not considered that the proposed dwelling would dominate no. 41 such that it would be an objectionable development.
- 4.12 The fenestration to the proposed building is kept to a minimum on the side elevations.
- 4.13 To the northern elevation there is one window to the ground floor and two windows within the dormers at first floor. All three of these windows service bathrooms/wc and as such can adequately be required to contain obscure glass and be non opening above a height of 1.7m. It is not considered therefore that any unreasonable overlooking would result to the rear windows or rear garden of no. 45 such that the amenities of the occupiers would be detrimentally harmed. To the southern elevation there is one proposed window and one door on the ground floor which service the kitchen and a utility room respectively. The proposed dwelling would be well distanced from the side elevation wall of no. 41 as the car port of no. 41 is sited between the two properties. Furthermore, due to the alignment of the street, the dwellings are slightly angled away from each other. It is considered unlikely that any unreasonable overlooking would result from the windows to the southern side of the proposed dwelling.
- 4.14 To the rear of the site are properties located within Lubbards Close. The rear gardens of the properties in Lubbards Close are relatively small at approximately 10m in depth. At first floor to the rear elevation of the proposed property two windows will face towards the properties in Lubbards Close. Both of these windows are to bedrooms. These proposed windows will be sited 25.5m from the rear wall of no. 4 Lubbards Close and 23.5m from the rear conservatory at the same property. The Essex Design Guide specifies that for directly opposing properties a 25m distance to be kept between the rear of properties is acceptable, which is achieved to the original walls. This distance can be reduced should the dwellings be at an angle to each other. The proposed property and no. 4 Lubbards Close are not directly one behind the other. It is likely that the properties in Lubbards Close will be visible from the first floor rear windows of the proposed property, however, it is considered that the distance away from these properties is adequate and not unusual within a residential context. Furthermore, bedrooms are not considered to be main habitable rooms of the dwelling in which the occupiers are likely to spend protracted periods of time.

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It would be possible for the properties in Lubbards Close or those immediately behind in Hullbridge Road to incorporate rear dormers under permitted development, which would result in a similar arrangement to that proposed. Although the outlook from the properties in Lubbards Close, particularly no. 4, is likely to alter somewhat, on balance this is not considered unacceptable nor is the possible level of resultant overlooking thought to be objectionable, especially within this residential context.

- 4.15 Off street parking for the site should be proposed in accordance with the standards as detailed within 'Parking Standards, Good Design and Practice' (2009). This endorsed document specifies that dwellings with more than two bedrooms should provide at least two off street parking spaces. These must be to the required dimensions of 2.9m x 5.5m. This policy also stipulates that proposed garages cannot be included as a parking space if the internal dimensions do not meet 3m x 7m. The application proposes a detached garage. The proposed garage space only measures to dimensions of 3.9m x 5.1m and as such is not to large enough dimensions in order to be included as a parking space. Notwithstanding this the site has adequate space to accommodate plentiful vehicles on the long driveway in front of the dwelling, as such the relevant parking standards are satisfactorily complied with.
- 4.16 The proposed detached garage is sited 4m beyond the front wall of the proposed dwelling and approximately 0.40m from the shared boundary with no. 45. The garage is to a pitched roof design reaching a maximum ridge height of 4.4m. The garage has an external footprint of 4.6m in width and 5.8m in depth. No. 45 does have a side window which faces towards no. 43, although it is not considered that the garage would be an unreasonable addition in the proposed location which would be detrimental to the amenities of the occupiers of no. 45.
- 4.17 **Essex County Highways** – No objections.
- 4.18 **Woodlands (Trees)** - An arboricultural survey has been provided by Acorn Arboriculture dated 21 December 2009 ref: AA/162226. I have based my comments upon this survey/report and my own site visit carried out on 24 February 2010.
- 4.19 The main concern is with T2 white horse chestnut, this was the only tree inspected in detail. This tree is protected by Tree Preservation Order 8/83 administered by RDC. Disagree with the category grading C and would have graded this tree as B1/2. Furthermore, I cannot understand how a category grading is determined without assessing the current tree condition. However, this is largely academic as the tree is shown to be retained.
- 4.20 I would recommend that all trees shown to be retained are protected to the distance, as specified in the tree protection plan. The tree protection should comprise fencing as detailed in the appendix of the report provided.

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- 4.21 The existing driveway is to be retained as ground protection for T2 horse chestnut, fencing is to be placed along the boundary so as to avoid development related stem damage that may occur from heavy plant/delivery. Fencing is to be installed as per drawing supplied in the appendix. Any proposed new driveway, or alterations to the existing are to be approved by RDC before hand. This is to ensure that provision is made in the design for improved rooting conditions for T2 and that root disturbance is kept to a minimum.
- 4.22 **Rochford District Council – Ecology** – The accompanying bat survey questionnaire has been completed accurately, but this does not preclude the presence of bats in the property. The applicant should be reminded of the legal protection afforded to bats and the associated risk of criminal action if they or their roosts are damaged or disturbed.
- 4.23 Letter from MP Mark Francois – Writing on behalf of his constituent Mrs L Kendall of 4 Lubbards Close. Explained to constituent that it is down to the Council to determine this application, but given some of the issues raised, my purpose in writing is to request that this application should be considered by the Council’s Development Committee, so that a number of issues enclosed in Mrs Kendall’s letter can be debated and given greater scrutiny.
- 4.24 6 letters have been received in response to the neighbour notification which in the main make the following comments and objections:-
- 4 Lubbards Lodge will be severely disadvantaged by the planning re-development
 - Moved in to the single storey dwelling in order to provide self with privacy and amenity
 - The proposed development will adversely impact on the enjoyment of dwelling and amenities.
 - Currently from rear garden can see wide area of open sky line and see the sun rise in the east every morning. This ghastly proposed development will totally obscure that view.
 - No. 4 currently surrounded by low rise dwellings
 - Re-development will obviously improve financial opportunity for the owner/applicant whilst seriously depleting the value of the small bungalows that will impinge upon it
 - The road elevations submitted with this application fail to indicate that the larger two storey chalet type property to the right (no. 45) is situated considerably nearer to the boundary of Hullbridge Road.
 - The proposed property will have windows, on the rear elevation, that will be less than the 25m national requirement, to provide necessary privacy, from the windows in the rear of my property. Those at second storey level will directly overlook the whole of property at no. 4 Lubbards Close.

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- The development should be positioned further from my rear boundary, 15 metres towards Hullbridge Road with the first floor windows placed to the sides of the development. The long expanse of garden and grounds to the front of the property allows for this realignment with the properties to their right and the shops in Hambro Parade.
- The main road slightly bends at that point with the elevations of the properties similarly affected. The property No. 45 Hullbridge Road would lose considerable light and sun from their property and rear garden as the current proposal will block the south west sunlight they currently enjoy leaving their kitchen and much of their garden dark and dingy.
- Would appreciate a longer consultation time
- Find it incredible that a professional agent has failed to mention that the dwelling is sited amongst an estate of a large number of small semi detached bungalows
- It is true that a number of houses have been built in this district and that many small bungalows have been extended into the roof, but with limited open space and packed into small sites where parking becomes a nightmare
- The property suggested for demolition is ideal for the disabled and elderly
- Property would be overwhelming and intrusive
- The elderly residents on this bungalow estate likely to be affected by the development are unlikely to respond to consultation even though it will possibly impact upon the enjoyment and value of their homes
- Privacy of no. 3 Lubbards Close compromised
- Can the alignment of no. 43 match that of no. 45 and be closer to Hullbridge Road?
- Can the rear elevation be constructed without any windows?
- Feel that no consideration whatsoever has been given to neighbours at the rear of the proposed development. The proposed plans would have a huge impact on privacy and enjoyment of our garden and our home at no. 5 Lubbards Close
- Two windows on the second floor closely overlook properties at the rear.
- The rear of the proposed property is very close to the boundary line. It would not be possible to plant large trees, as stated within the application
- The ridge height of the proposed property is much higher than surrounding properties
- Light would be blocked from garden of no. 5 Lubbards Close
- Not in keeping with street and out of scale with other properties
- The property is described as a chalet but it is far too big for the plot
- There is already too much development in the area

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APPROVE

- 1 SC4B - Time Limits Full - Standard
- 2 SC14 - Materials to be Used (Externally)
- 3 SC23 - PD Restricted - OBS Glazing
- 4 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no enlargement of or the provision of additional windows, door or other means of opening shall be inserted on the northern elevation or at first floor level on the southern elevation of the development hereby permitted, in addition to those shown on the approved drawing 43HR/PR/02B AND 43HR/PR/01B as date stamped 1 February 2010.
- 5 No development shall commence before all existing buildings and structures on the site as shown on drawing no. 43/HR/EX/01 and 43HR/EX/00 as date stamped 1 February 2010 have been demolished and all materials resulting therefrom have been completely removed from the site.
- 6 The development hereby permitted shall be implemented in accordance with the advice and recommendations as set out with the arboriculture survey, as undertaken by Acorn Arboriculture on 21 December 2009, reference AA/162226, as received on 1 February 2010.
- 7 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A, B or C of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no extensions or further dormer additions shall be erected on rear elevation or either side elevations of the dwelling hereby permitted.

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REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

Relevant Development Plan Policies and Proposals

HP6, of the Rochford District Council Adopted Replacement Local Plan
As saved by Direction of the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004 (5 June 2009).

Supplementary Planning Document 2 (Housing Design)
Supplementary Planning Document 5 (Vehicle Parking Standards)

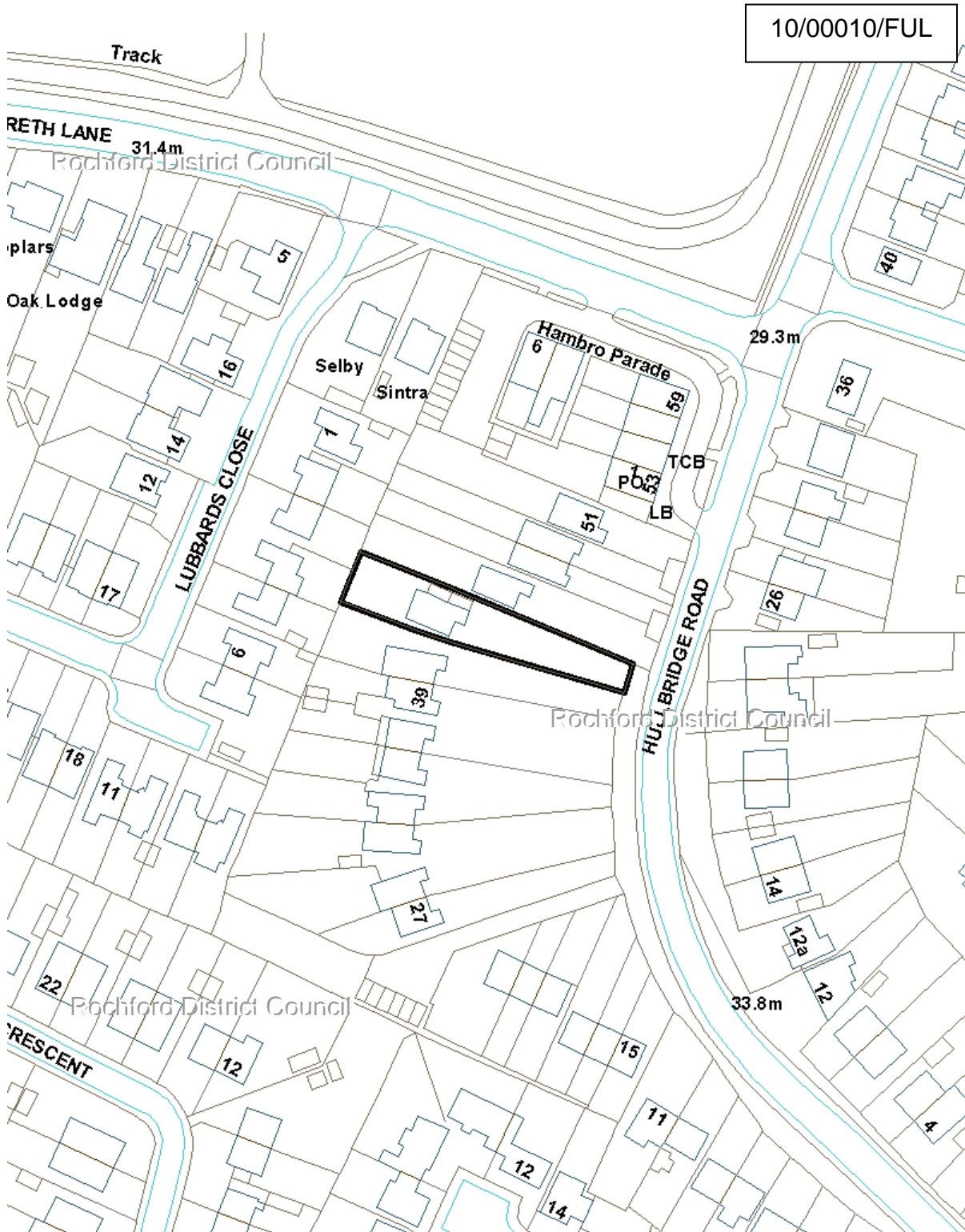
The local Ward Member(s) for the above application are Cllrs C I Black and R A Oatham.



Shaun Scrutton
Head of Planning and Transportation

For further information please contact Katie Simpson on (01702) 546366.

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