
REFERRED ITEM R6

TITLE : 09/00085/FUL
CONSTRUCT DETACHED THREE BEDROOMED
BUNGALOW WITH ATTACHED GARAGE TO REAR OF NO.
16 AND CONSTRUCT ACCESS DRIVEWAY
LAND REAR OF 16 TO 24 KINGSWOOD CRESCENT
RAYLEIGH

APPLICANT : PAGES ESTATES LTD

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. 977 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Tuesday, 14 April 2009, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs M J Webster.

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

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- 6.1 **Rayleigh Town Council:** Object to the application as it is considered to be an undesirable form of development.

NOTES

- 6.2 Planning permission is sought for a detached bungalow to the rear of No.16 Kingswood Crescent and No. 31 and 33 Great Wheatley Road, Rayleigh.
- 6.3 The application site comprises a plot of just under 0.01 hectares within an area designated for residential use within the Rochford District Replacement Local Plan 2006. It forms the eastern part of a site recently approved on appeal for the construction two detached bungalows (08/00403/FUL). The proposal has a density that is comparable with the existing level that prevails within the surrounding residential area.

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- 6.4 The current proposal involves the construction of a single detached bungalow positioned immediately to the rear of No.16 Kingswood Crescent, set at right angles to this property as well as to the rear gardens of the houses in Great Wheatley Road. Access to the development is achieved via Kingswood crescent between No. 16 and 18. The site width across the face of the development is some 1806m and a 1m separation of habitable rooms is achieved all round.
- 6.5 Given the residential designation of the site this form of back land development is not unacceptable in principle. Nevertheless it is essential that such schemes do not impinge on the amenities of existing residents.
- 6.6 The bungalow is directly opposite the approved bungalows allowed on appeal to the rear of No. 24 Kingswood Crescent and adjoins the turning head at the end of the access drive. It has a width of 13m and an overall depth of 9.6m. The bungalow has a hipped roof to a maximum height of 4.9m. An attached garage is positioned adjacent to the southern boundary with pitched roof to a lower height of 3.5m. The bungalow is a minimum of 6m from the rear boundary.
- 6.7 The proposal shows provision of a garden area to the rear of the bungalow of some 118m², which is in excess of policy requirements.
- 6.8 The scheme proposes an access drive between No. 16 and 18 Kingswood Crescent running perpendicular to a tuning head at the rear of No. 33 Great Wheatley Road. This element of the proposal is identical that contained within the scheme allowed on appeal.
- 6.9 In addition to the attached single garage the proposal provides hard standing for an additional parking space, which is adequate for a 3 bed-roomed property in this location.
- 6.10 The Highway Authority does not raise an objection to the proposal subject to a number of conditions including provision of suitable visibility splays, on-site storage for materials and parking of operative's vehicles.
- 6.11 The new bungalow would intensify activity to the rear of No. 16 Kingswood Crescent as well as to the rear gardens of No. 31-33 Great Wheatley Road in addition to generating further vehicle movement and activity. Inevitably this will have an additional impact over and above that will result from the approved scheme for two bungalows. However it is considered that this represents only a modest increase on the level already approved and given the separation between the bungalow and the adjacent dwellings that this will not be unacceptably harmful.

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- 6.12 The immediate area is characterised by mixed housing built to various styles. The proposed bungalow is of a similar design and scale to the adjacent approved pair of bungalows to the rear of No. 24 Kingswood Crescent and is not considered to be out of character with the appearance of form of development within the surrounding area. The low rise nature of the proposal would not be prominent within the street scene.
- 6.13 Due to the slope of the site the proposal has a ground level some 0.5m higher than the adjacent bungalow at No.16. Notwithstanding this there is an existing wooden fence to this boundary of 2m which provides sufficient screening to this boundary. The single storey development is not felt to create any issues regarding overlooking or overshadowing as existing boundary fences protect privacy between dwellings and in part the proposed bungalow is being lowered into the existing ground level.
- 6.14 Given the modest scale of the development it is not considered that it will be over bearing or detrimental to the residential amenity of any neighbours, including those immediately adjacent at No.16 Kingswood Crescent.
- 6.15 The Council's ecological officer does not raise any objection to the application. The aboricultural officer's comments relate to trees and a hedgerow that are not within the current application site.
- 6.16 In allowing the appealed scheme the Inspector was of the opinion that the access was of sufficient width to provide a driveway that was not harmful to the appearance of the street scene and that although Kingswood Crescent is a fairly narrow road, subject to the imposition of suitable conditions, there would be no material harm to highway safety or harmful impact through noise or loss of privacy. In addition he did not consider the proximity of the bungalows to the rear of No. 24 Kingswood Crescent would give rise to an unacceptable degree of overlooking subject to the removal of permitted development rights to insert dormers.
- 6.17 The relationship of the proposed bungalow to its immediate neighbours is very similar to that of the two adjacent bungalows allowed under appeal and which are unchanged by this additional bungalow, given its location and scale the single detached bungalow is not felt to increase the level of activity already allowed by any significant degree such that would justify a refusal.
- 6.18 **Essex County Council Highways:** No objection subject to conditions.
- 6.19 **Natural England:** No objection.
- 6.20 **Head of Environmental Services:** No adverse comments

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- 6.21 **Woodlands Section:** advise no ecological assessment required. The arboricultural officer notes no trees on site subject to TPO or worth of this status. Recommends protection of six identified trees and part of existing hedge line through the use of a planning condition.
- 6.22 **Buildings/Technical Support (Engineers):** No objections, observes there are no public sewers within Kingswood Crescent at this location.
- 6.23 Neighbours: 18 letters of objection received from occupiers of dwellings in the surrounding area.
- 6.24 Summary of main points raised include:-
- Existing access and parking problems within Kingswood Crescent and surrounding roads due to narrowest of roads will be exacerbated
 - Such back land development should not be allowed on principle
 - Objections to previous schemes still remain
 - Loss of 'wooded' area proposed in the approved scheme
 - Will precedent for further back land development
 - Density too high and will result in over populated area
 - Overlooking
 - Loss of privacy
 - Current problems with street parking will be increased
 - Will adversely affect semi-rural character of a sought after area
 - Detrimental impact on value of surrounding properties
 - Proposed bungalow positioned too close to adjacent garden boundaries
 - Even more rainwater will be drained from the surrounding vegetation
 - Loss of open views
 - Priority must be given to protection of the existing environment
 - Residential gardens are important for bio-diversity and should not be build over
 - If approved will be the thin end of the wedge
 - Will increase congestion and risk of accidents
 - Introduces noise and light pollution
 - The interest of existing residents should be paramount
 - Over development
 - Potential problems for access by emergency and refuse vehicles
 - Area unsuited for use by construction vehicles
 - The estate already suffer from damage resulting from manoeuvring of large lorries

APPROVE

- 1 SC4B Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)

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- 3 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include indications of all existing trees, shrubs and hedgerows on the site and details of any to be retained, together with measures for their protection in the course of development. Details shall include species, size and spacing of all trees, shrubs and hedgerows to be planted, grassed and hard surfaced areas, existing and finished levels, means of enclosure and boundary treatments, car parking and vehicle access. All planting, seeding and turfing in the approved scheme shall be carried out in the first planting season following the completion of the development, or such phased arrangement as may be agreed in writing by the local planning authority. If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies or becomes seriously damaged or diseased, another tree of the same species and size as that originally planted shall be planted in the same place in the first available planting season following removal.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no dormers, rooflights or any other openings shall be inserted, or otherwise erected, within the roof areas of the bungalows hereby permitted.
- 5 Development shall not begin until schemes for foul and surface water drainage have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 6 Development shall not begin until vehicular visibility splays of 2.4m x site maximum, as measured from the carriageway edge, at the junction between the proposed access drive and the highway, have been provided either side of the new access. The splays shall be retained thereafter and maintained in their approved form free of obstruction above a height of 600mm above the finished surface of the approved vehicular access.
- 7 The vehicular access shall not be used by vehicular traffic before sight splays measuring 1.5m x 1.5m providing unobstructed visibility of pedestrians using the adjoining footway have been provided on both sides of the access at its junction with the adjoining highway. The sight splays shall be retained thereafter and maintained in their approved form free of obstruction above a height of 600mm above the finished surface of the approved vehicular access.
- 8 The dwellings hereby approved shall not be occupied until the driveway has been constructed and finished in bound materials in accordance with details previously agreed in writing by the local planning authority. The driveway shall be retained thereafter in the approved form.

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- 9 No development shall take place until details of an area within the site for the reception and storage of building materials and the parking of operatives' vehicles and of the means by which the wheels of vehicles leaving the site shall be cleansed have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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, the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in Kingswood Crescent or Great Wheatley Road.

Relevant Development Plan Policies and Proposals:

HP1, HP3, HP5, HP6, HP7, HP10, HP11, HP14, NR4, NR9, of the Rochford District Council Adopted Replacement Local Plan



Shaun Scrutton

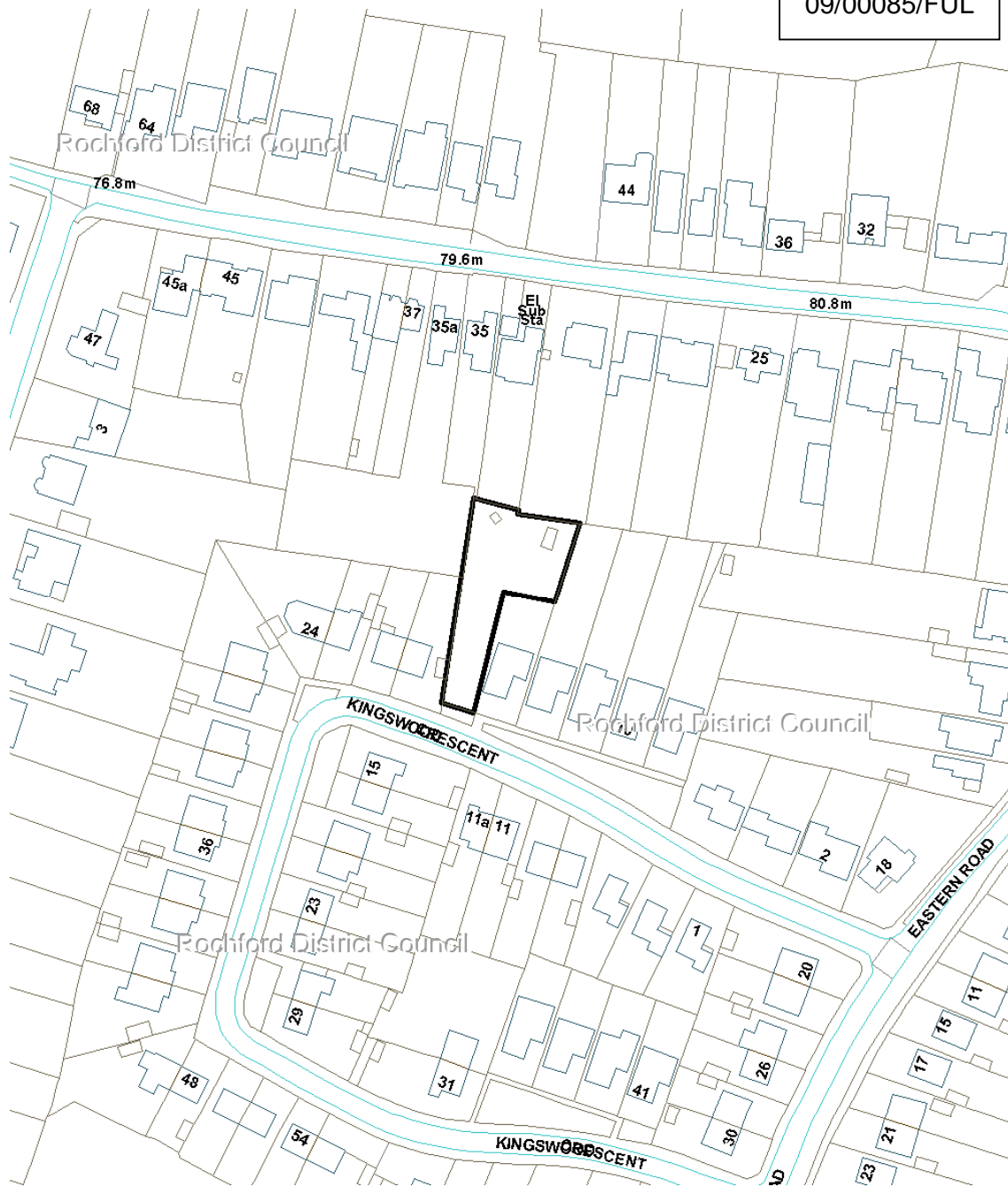
Head of Planning and Transportation

For further information please contact Judith Adams on (01702) 546366.

The local Ward Member(s) for the above application are Cllrs. J M Pullen and Mrs M J Webster

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