

WEEKLY LIST

APP. NO

07/00036/FUL

CASE OFFICER	TEAM LEADER	HOPS/P M	COND. COLOURING		COND. MONITORING	Comino CHECKED	POSTED
			COND. NO	PLAN NO.			
MP 2.4.07	<i>[Signature]</i>	<i>CG</i> <i>3/4/07</i>				2.4.07	

Proposal: Detached 4 Bedroom House and Detached Garage Adjacent to No. 4 Byford Close

Site Location: Land Adjacent 4 Byford Close Rayleigh

Legal Agreement: NO

Plan Numbers/Letters/Supporting Statements

D955/01 Rev.A; D955/03 Rev.A; D955/04; Tree Report date stamped 22nd February 2007

Zoning: SCHOOL
Parish Council - Rayleigh Town Council

Officer Report:

Permission is sought for the erection of a two storey (4 bed) detached dwelling house and detached garage.

This application follows the grant of outline planning permission (06/00371/OUT) for the erection of a detached dwelling. This outline consent agreed that the site is suitable for residential development. On the outline approval all matters, save for the siting of the dwelling and garage were reserved for subsequent approval. (The plot has been sold to the applicant by The FitzWimarc School and any private covenant on the use of the land is a private and civil matter and outside the scope of this application.)

This current application seeks full planning permission and has not been submitted as a reserved matters application. Notwithstanding this, and as commented above the previous consent agreed the principle of the scheme; this proposal relates to a full two storey dwelling house, sited proportionally within the same part of the site as the outline scheme, but ~~with~~ *proposes a* different footprint and a garage to the front of the plot. X

The siting and design of the dwelling house is acceptable, does not result in any material loss of amenity to the occupiers of the adjacent properties, nor any material visual harm to the street scene. Issues of parking, ~~activity~~ and highway congestion were considered at the outline stage, ~~and the arrangements reflected in this proposal comply with the council's standards and are acceptable.~~ X

~~There remains within the scheme outstanding issues in relation to the construction of the garage in relation to the potential harm to the nearby protected trees. It is recommended that these outstanding issues can be controlled by planning condition. Notwithstanding this the siting and design of the proposed garage is acceptable, but it is considered that a method statement should be submitted prior to commencement of~~

Representations: *The development to ensure adequate account is taken of nearby reserved trees; a condition is proposed to deal with this issue.*

County Highways:- De minimis

Engineers:-	No objection
Rayleigh Civic Society:-	Accepts outline permission has been given but would like to see greater separation between dwellings
Rayleigh Town Council:-	No objection
Woodlands:-	Comment on the lack of information in relation to the implications of the garage on the protected species. There are no ecological issues
Natural England:-	No objection to the proposal in reference to legally protected species
Fitzwymar School:-	Object; condition of sale of the land was that it did not contain any permanent structures; development would affect TPO trees, noise from the school would affect the amenities of the occupiers of the house
Neighbours:	1 letter of objection has been received commenting in the main on the following issues:- <ul style="list-style-type: none"> * Increase in traffic * Affect the character of the area * Parking problems would be made worse by this proposal

Policies:

HP6

Conclusions:

APPROVE

CONDITIONS:

- 1 No development shall commence, before details of all external facing (including windows and doors) and roofing materials to be used in the development have been 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.

REASON: To enable the Local Planning Authority to retain adequate control over the appearance of the building, in the interests of amenity.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 Prior to any development commencing in relation to the construction of the dwelling hereby approved the access way shall be full implemented at the site and be constructed with the 'no dig' method as outlined within BS 5837 (2005)

REASON:- In the interest of the protected trees (TPO's) within the vicinity of the site.

- 4 Prior to the commencement of any development at the site tree protection in accordance with BS5837 (2005) (specifically section 9.2) shall be erected along the points A - B on plan No D955/01 REV A. The tree protection measures shall remain on site for the period of the construction of the dwelling hereby approved.

REASON:- In the interest of protection of the preserved trees (TPO's) within the vicinity of the site.

- 5 The vehicular access hereby permitted shall not be used by vehicular traffic before site splays measuring 1.5m X 1.5m, providing unobstructed visibility of pedestrians using the adjoining footway, have been provided at both sides of the access at its junction with the adjoining highway. Once provided, the said visibility splays shall be retained thereafter and maintained in their approved form free from obstruction above a height of 600mm above the finished surface of the approved vehicular access.

REASON To ensure that visibility is maintained in the interest of pedestrian safety.

- 6 No development shall commence until a method statement has been submitted to and approved in writing by the local planning authority. The method statement shall highlight how the garage is to be constructed and all measures necessary to prevent/mitigate harm to the significant trees (TPO's) that are adjacent to the site. The details as approved shall be implemented in accordance with the details as approved.

REASON In the interest of the protected trees (TPO's) within the vicinity of the site.

0 REASON FOR DECISION

The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in Byford Close, Victoria Road, Ruffles Close, The Courts and FitzWimarc School.

Informatives:

- 0 Prior to the commencement of the permitted development, the applicant is advised to undertake a suitable and sufficient site investigation and any necessary risk assessment to ensure the land is free from significant levels of contamination. The Local Planning Authority should be given prior notification of any proposed remediation scheme.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

- 0 The applicant should be made aware that any departure from the approved plan is likely to result in the development being unauthorised with the requirement for a

further application to be submitted, which will be dealt with on a "without prejudice" basis. Early contact with the planning department where a change is contemplated is strongly advised although even minor changes are likely to require a new application.