



**Rochford District  
Council**

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
DEVELOPMENT CONTROL COMMITTEE - 26 February 2008**

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and locals plans issued or made hereunder. In addition, account is taken of any guidance notes, advice and relevant policies issued by statutory authorities.

Each planning application included in this Schedule is filed with representations received and consultation replies as a single case file.

The above documents can be made available for inspection as Committee background papers at the office of Planning And Transportation, Acacia House, East Street, Rochford and can also be viewed on the Council's website at [www.rochford.gov.uk](http://www.rochford.gov.uk).

**If you require a copy of this document in larger  
print, please contact the Planning Administration  
Section on 01702 – 318191.**

Ward Members for Committee Items

**ROCHFORD**

Cllr Mrs S A Harper

Cllr K J Gordon

Cllr J P Cottis

**WHITEHOUSE**

Cllr S P Smith

Cllr P F A Webster

**DEVELOPMENT CONTROL COMMITTEE - 26 February 2008**

**REFERRED ITEMS**

R1	07/01075/FUL Demolish Existing Dwelling and Construct Two Detached Houses with Semi - Integral Garages 7 Woodlands Close Rayleigh	Mr John Wood	PAGE 4
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**SCHEDULE ITEMS**

2	07/01103/COU Change Of Use From Offices to Use as Single Dwelling 56 West Street Rochford	Mr John Wood	PAGE 9
3	07/01041/FUL Install 3 No. Air Conditioning Units Behind Parapet Wall to Flat Roofed Area at Rear of Building. 14 West Street Rochford	Mr John Wood	PAGE 14

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**REFERRED ITEM R1**

**TITLE: 07/01075/FUL**  
**DEMOLISH EXISTING DWELLING AND CONSTRUCT TWO**  
**DETACHED HOUSES WITH SEMI - INTEGRAL GARAGES**  
**7 WOODLANDS CLOSE RAYLEIGH**

**APPLICANT: MR MARK LLOYD**

**ZONING: RESIDENTIAL**

**PARISH: RAYLEIGH TOWN COUNCIL**

**WARD: WHITEHOUSE**

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

This application was included in Weekly List no 916 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 5 February 2008, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr P F A Webster and Cllr S P Smith.

The item which was referred is appended as it appeared in the Weekly List together with a plan and an extra condition preventing additional windows being inserted at first floor level.

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- 1.1 **Rayleigh Town Council** - No objection.

NOTES

- 1.2 Planning permission is sought to demolish an existing detached house and garage occupying a corner plot in a cul-de-sac and erect 2 detached 4 bedroom houses with attached garages. A considerable area of block paved forecourt is proposed which will enable vehicles to turn within the site and leave in a forward gear and each property will have 2 or 3 vehicle spaces. The existing house is situated in the centre of the plot and has a considerable amount of space all round. The site backs on to the public open space which acts as a buffer strip between the residential area and the Brook Road industrial estate to the south.
- 1.3 There are existing dwellings in the close which are of a similar design, style and materials, although most are semi-detached, with just 2 detached, including that on the application site. A detached house and a bungalow have



been built in the rear gardens of Nos. 7 and 8 Woodlands Close respectively, with frontage to Richmond Drive to the west. The layout of the close is quite symmetrical with dwellings grouped around the hammerhead at the western end, where there is a fairly open aspect due to the spacious corner plots comprising the application site and No. 10.

- 1.4 Whilst the objections to loss of symmetry in the layout of the close are understood, the siting of the proposed detached houses constitutes a continuation of the run of dwellings on the south side of the close and fills the gap between No. 6 Woodlands Close and No. 5, Richmond Drive. Although the proposed houses have a different orientation to the existing dwelling and are not directly across the corner of the cul-de-sac, the impression of visual closure resulting from the proposed siting of the houses and increased site coverage, is arguably greater than currently exists, in view of the amount of space surrounding the existing dwelling. It is not therefore considered that the objection to loss of symmetry is sufficient to justify a refusal of permission on these grounds. Regarding design of the elevations, Government advice is that planning authorities should not seek to impose particular architectural styles or prejudices, and the design proposed whilst not identical is sympathetic to existing such that the properties would not look unduly out of place. The tree loss relates to some ornamental trees and a Willow tree, this is considered acceptable and other tree cover will remain.
- 1.5 The proposed houses have been designed to minimise the impact on adjoining neighbours, and additional obscure glazing to a first floor secondary window to a bedroom on the north elevation of Plot 2 had been added to prevent overlooking of No. 8, Woodlands Close. With appropriate conditions, no detriment from overlooking of adjoining properties is therefore anticipated, indeed Plot 1 has been orientated away from No. 6 to minimise the possibility. The curtilage of No. 6, Woodlands Close is quite spacious, and even taking account of any difference in levels, the effect of the proposed house on Plot 1 on the amenities of No. 6 is not considered to be unacceptable. There is normal isolation from the side boundary with No. 5 Richmond Drive on the application side, and No. 5 has more than usual isolation on its side of the boundary. This isolation is considered adequate to not unduly affect the kitchen/breakfast room with a window on the side, and the dining room window is even further away and not the sole source of light for that room.
- 1.6 It is considered that adequate parking and turning facilities are proposed to avoid highway problems. Although the existing private sewer in the road may become overloaded if an additional property is connected, a direct connection could be made to the larger public sewer which exists. This is an issue that will be dealt with at the Building Regulation stage.
- 1.7 Government policy seeks to ensure that previously developed land is made use of rather than new sites, and that the best and most efficient use is made of land resources. The site is clearly large enough to accommodate 2 units, and overall, the scheme is considered to be designed to minimise any adverse effects.



- 1.8 **ECC Highways** - No objection subject to: 1. Fences either side of driveway to be reduced to 600mm. for a distance of 2 metres back from the footway.  
2. The shared drive to be kept clear at all times. 3. Driveway to be paved in permanent materials for minimum distance of 6m. from the highway boundary.
- 1.9 **Natural England** - No objection.
- 1.10 **Head of Environmental Services** - No adverse comments subject to inclusion of Standard Informative SI16 (Control of Nuisances).
- 1.11 Twelve letters have been received from neighbours, plus a petition with 35 signatories from 24 addresses, objecting to the proposal on the following grounds:-
- o Symmetrical layout of close compromised;
  - o Unsympathetic design;
  - o Houses too large;
  - o Units not affordable;
  - o Would set undesirable precedent;
  - o Loss of light and privacy;
  - o Loss of trees;
  - o Structure and drainage of adjoining dwellings could be damaged;
  - o Overloading of sewers;
  - o Would cause parking & traffic congestion problems detrimental to highway safety;
  - o The water table would be affected;
  - o Noise, disturbance, dust and road damage from demolition/construction and vehicles;
  - o Loss of views;
  - o Services overloaded;
  - o Properties would be de-valued.
- 1 SC4B Time Limits Full - Standard
  - 2 SC14 Materials to be Used (Externally)
  - 3 SC9A Removal of Buildings Prior to Dev
  - 4 No dwelling shall be occupied before the fences marked on the approved drawing 261107/A returned herewith, have been erected. Thereafter, the said fences shall be retained and maintained in their approved form, notwithstanding the provisions of Article 3, Schedule 2, Part 2, 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).
  - 5 Notwithstanding the details shown on the submitted plan, the fences shown either side of the driveway shall be reduced to 600mm. in height for a distance of 2 metres from the back of the footway.
  - 6 That part of the driveway, which is shared between Plots 1 and 2, shall be kept clear of obstruction at all times.



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- 7 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) the window(s) marked OBS on the approved drawing(s), shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.
  - 8 SC22A PD Restricted - Windows

**REASON FOR DECISION**

The proposal is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration.

**Relevant Development Plan Policies and Proposals**

HP6, of the Rochford District Council Adopted Replacement Local Plan

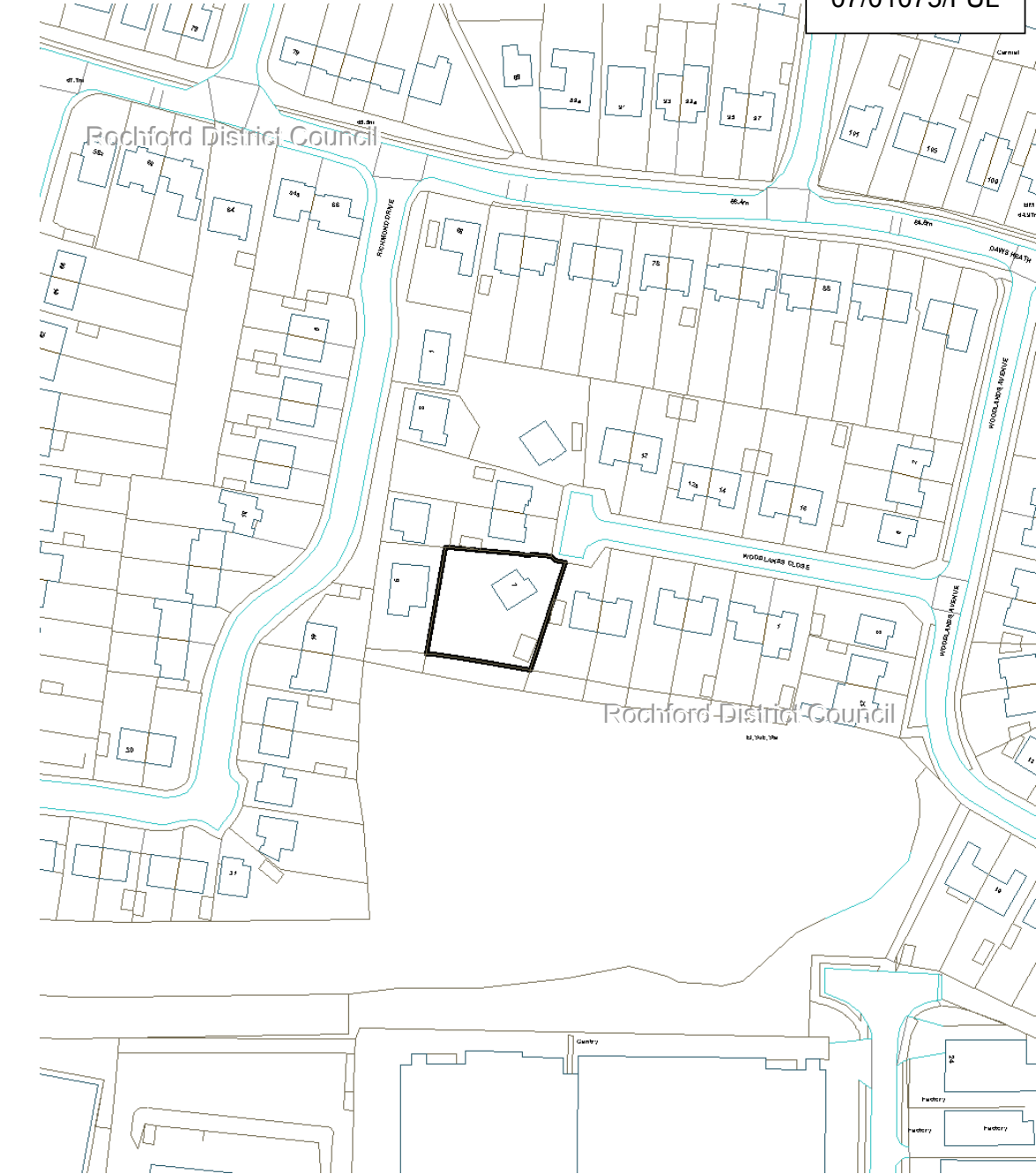


Shaun Scrutton  
Head of Planning and Transportation

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For further information please contact John Wood on (01702) 546366.

07/01075/FUL



Rochford District Council



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**Item 2**

**TITLE: 07/01103/COU  
CHANGE OF USE FROM OFFICES TO USE AS SINGLE  
DWELLING  
56, WEST STREET ROCHFORD**

**APPLICANT: MR R PLUMMER**

**ZONING: SECONDARY SHOPPING**

**PARISH: ROCHFORD**

**WARD: ROCHFORD**

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**PLANNING APPLICATION DETAILS**

- 2.1 This application relates to a 2-storey end terraced building on the north side of West Street, about 150 metres east of the junction with Bradley Way. The proposal is to change the use from offices occupied by a ship and grain brokers to a single dwelling house.

**RELEVANT PLANNING HISTORY**

- 2.2 33/51 Change of use of 2 ground floor rooms to offices – Approved
- 2.3 853/78 Add rear extension to form offices and toilet – Approved
- 2.4 889/86 First floor rear extension – Approved

**CONSULTATIONS AND REPRESENTATIONS**

- 2.5 **Rochford Parish Council** – No objections.
- 2.6 **ECC Highways** – No objection.
- 2.7 **ECC Historic Environment Branch** – Proposal unlikely to have any significant archaeological implication. No recommendation to make.
- 2.8 **London Southend Airport** – No safeguarding objections.

**MATERIAL PLANNING CONSIDERATIONS**

- 2.9 The main considerations in assessing this application are:-



- Planning Policy SAT5 – Non-retail Uses Within Secondary Shopping Frontage Areas; and Planning Policy Statement 6: Planning for Town Centres with particular reference to encouraging mixed uses to promote vitality and viability;
  - Compliance with car parking and amenity area standards.
- 2.10 Local Plan Policy SAT5 states that change of use of the ground floor of premises in secondary shopping frontage areas will be permitted provided that all of the following criteria are met:-
- i. The use proposed would be appropriate within a Secondary Shopping Frontage Area, and would support its vitality and viability;
  - ii. The proposal would not result in an over-concentration of non-retail uses in part of the Secondary Shopping Frontage Area;
  - iii. The proposal would not result in the undue dominance of non-retail uses in the Secondary Shopping Frontage Area as a whole;
  - iv. The proposal would not result in the removal of any independent means of accessing the upper floor(s) of the premises or otherwise prevent an effective use being made of the upper floor(s); and
  - v. Where the proposal relates to a premises with an existing shop front, the shop window would continue to be used for display purposes.
- 2.11 Policy SAT5 is of limited relevance to this application since the site is currently in non-retail use. The site is in the Rochford Conservation Area and although not listed, 56 West Street is an attractive weather boarded building and it is thought that it was erected in about 1810. The planning history shows that it has been extended several times during its life and office use was first approved in 1951. It has therefore been in office use for 56 years. The buildings next door and opposite are listed however, and No. 54 to the east is currently being refurbished as part of a scheme approved on appeal for residential development, including new build houses to the rear of the application site. There were previously retail units on the site of 50-52 but none are retained in the approved scheme. There are thus few remaining commercial premises on this side of West Street in the vicinity.
- 2.12 The Applicant currently has no timescale for implementing the change of use should permission be granted, but the present business is contracting and it is desired to have a fall back position and a choice of options should the business eventually close. The premises have not therefore been advertised for their current purpose. A side pedestrian access and door, together with a fire escape at first floor level, is available adjacent to No. 54, as well as the front door, but there is no off street parking or amenity space.
- 2.13 The traffic generation from a dwelling is likely to be less than the current office use, which has accommodated up to about 10 employees, and town centre car parks are available. Being in a town centre and conservation area location, the lack of amenity space and car parking space could be considered acceptable to encourage residential use in the town centre to add to the mix of active uses enhancing the vitality and viability of the town. At least one car parking space



would normally be required and 50 sq. metres of amenity space. Little or no amenity space is provided for the flats currently being developed on the adjacent site.

**CONCLUSION**

- 2.14 Being in a town centre location, the lack of amenity space could be considered acceptable, and little or none is proposed for the flats currently being developed on the adjacent site. These factors, together with the fact that the premises were originally used for residential purposes and they are domestic in scale and design, makes it difficult to put forward a case for opposing the application. The loss of commercial premises is nonetheless regrettable in some ways in a secondary shopping frontage, and for the town centre as a whole, but must be set against the substantial additions to the shopping offer in the town provided by the Somerfield supermarket north of the market square and the Sainsbury's store approved on the former BP garage site on the corner of West Street/Union Lane. In addition, it has been held on appeal that residential development in a secondary shopping frontage does assist in enhancing the vitality and viability of a shopping area.

**RECOMMENDATION**

- 2.15 It is proposed that this Committee **RESOLVES** to **APPROVE** the application subject to the following conditions:-
- 1 SC4B Time Limits Full - Standard

**REASON FOR DECISION**

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations or to the character of the area including impact upon residential amenity such as to justify refusing the application.

**Relevant Development Plan Policies and Proposals**

Policies SAT5; HP6 of the Rochford District Replacement Local Plan 2006.

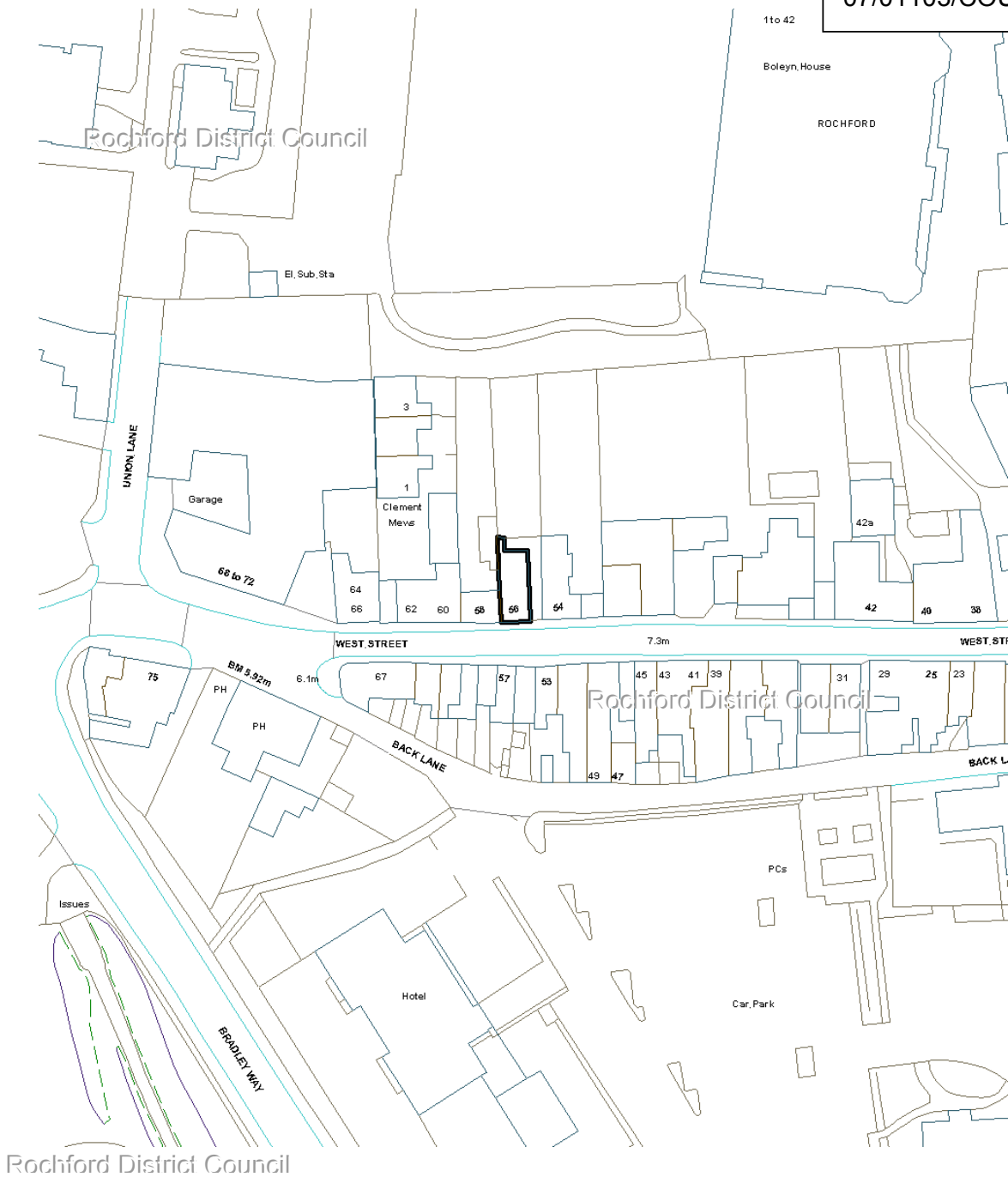


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07/01103/COU



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**Item 3**

**TITLE: 07/01041/FUL  
INSTALL 3 No. AIR CONDITIONING UNITS BEHIND PARAPET  
WALL TO FLAT ROOFED AREA AT REAR OF BUILDING  
14 WEST STREET ROCHFORD**

**APPLICANT: MARTIN McCOLL**

**ZONING: PRIMARY SHOPPING**

**PARISH: ROCHFORD**

**WARD: ROCHFORD**

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**PLANNING APPLICATION DETAILS**

- 3.1 This proposal relates to a newsagents shop on the north side of Rochford Market Square which is currently undergoing internal alterations to incorporate a post office at the rear of the building. Planning permission is sought to install 3 air conditioning units on a flat roofed area at the centre/rear of the building behind a 0.9 m. high parapet wall. Two of the units measure 800mm. high x 850mm. wide x 315mm. deep. The third is smaller measuring 540mm. high x 765mm. wide x 255mm. deep and none of them will therefore project above the parapet wall.

**RELEVANT PLANNING HISTORY**

- 3.2 07/00030/FUL – Construct disabled access ramp to front and install 3 no. air conditioning units on flat roofed area to rear of building. Refused on 29 March 2007 because the ramp would result in an unacceptable reduction in width to the footway and because a noise assessment of the air conditioning units was not submitted.
- 3.3 07/00364/FUL – Construct disabled access ramp with handrail to front of shop. Refused 24 May 2007 as it would result in an unacceptable reduction in the width of the footway. Allowed on 10 October 2007 following Appeal.

**CONSULTATIONS AND REPRESENTATIONS**

- 3.4 **Rochford Parish Council** – Objections – effect of this development on Listed Building. (The building is not listed)
- 3.5 **Head of Environmental Services** – If Members are minded to approve the application, the following conditions should be attached:-



- (1) The air conditioning units shall be installed in accordance with the details provided to the LPA within B.S. Services letter dated 24 January 2008 and accompanying documents.
  - (2) The units shall only operate during the hours of 0700 and 1900 hours.
- 3.6 **ECC Historic Buildings and Conservation** – No objections. They would be hidden behind a pitched roof on one side and a parapet on the other and would have no impact on the character or appearance of the conservation area. Recommend permission granted.
- 3.7 **ECC Highways** – De minimis.
- 3.8 Neighbours – Four objections have been received from owners/residents in North Street, objecting to the likely noise disturbance which would arise from the installation, which would be in addition to that from air conditioning units which already exist at 2 premises in North Street. Shift workers would be particularly affected.

#### **MATERIAL PLANNING CONSIDERATIONS**

- 3.9 The main considerations in assessing this application are:
- o The appearance and visual impact of the units;
  - o The potential noise impact of their operation.
- 3.10 The Design and Access Statement states that the need for the air conditioning units arises from the re-siting of the Rochford Post Office into these premises from North Street. Due to strict security measures, doors and windows at the rear of the building must remain closed, which is likely to lead to a high build up of heat which would be detrimental to staff and customers, many of the latter being elderly. The maintenance of an acceptable atmosphere in the fairly deep ground floor will therefore depend on the cooling provided by the proposed air conditioning units.
- 3.11 As stated above, the visual impact of the air conditioning units will be minimised since they are sited behind and are lower than an existing parapet wall. As far as the noise impact is concerned, a technical report has been submitted and assessed as being acceptable by the Council's Head of Environmental Services. The Design and Access Statement states that the units emit very low amounts of noise, and in order to minimise any noise impact, the air conditioning units are to be mounted on rubber anti-vibration pads.
- 3.12 The shop opening hours are 06.00 to 17.30 Mon.-Sat. and 07.00 – 13.00 on Sundays. The post office will be open from 09.00 to 17.30 hours Mon. to Fri.; 09.00 to 13.00 on Saturdays and closed on Sundays. The Design and Access Statement also states that the units can be fitted with timers and notwithstanding the maximum operating times acceptable to Environmental



Health, it appears from discussions with the Agent that 08.00 hours to 18:30 hours would be acceptable operating times Mon. to Sat. with 09.00 to 14:00 on Sundays.

**CONCLUSION**

- 3.13 The only reason for refusing these units when the previous application was made has been overcome, in that an appropriate noise assessment has been submitted which is acceptable to the Council's Environmental Health Officer, subject to appropriate conditions, including their operation in accordance with the submitted noise assessment. The site is in a conservation area but the units will not be visible from the public realm and the County Council Historic Advisor is happy with the proposal from the Historic Environment point of view. The proposal is therefore considered to be acceptable.

**RECOMMENDATION**

- 3.14 It is proposed that this Committee **RESOLVES** to **APPROVE** the application subject to the following conditions:-
- 1 SC4B – Time Limits Full – Standard.
  - 2 Units to be installed in accordance with details in B.S. Services letter and enclosures dated 24 January 2008.
  - 3 Air conditioning units not to be operated outside the hours of 08.00 to 18:30 Mondays to Saturdays and 09.00 to 14:00 on Sundays.

**REASON FOR DECISION**

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations or to the character of the area including impact upon residential amenity such as to justify refusing the application.

**Relevant Development Plan Policies and Proposals**

None

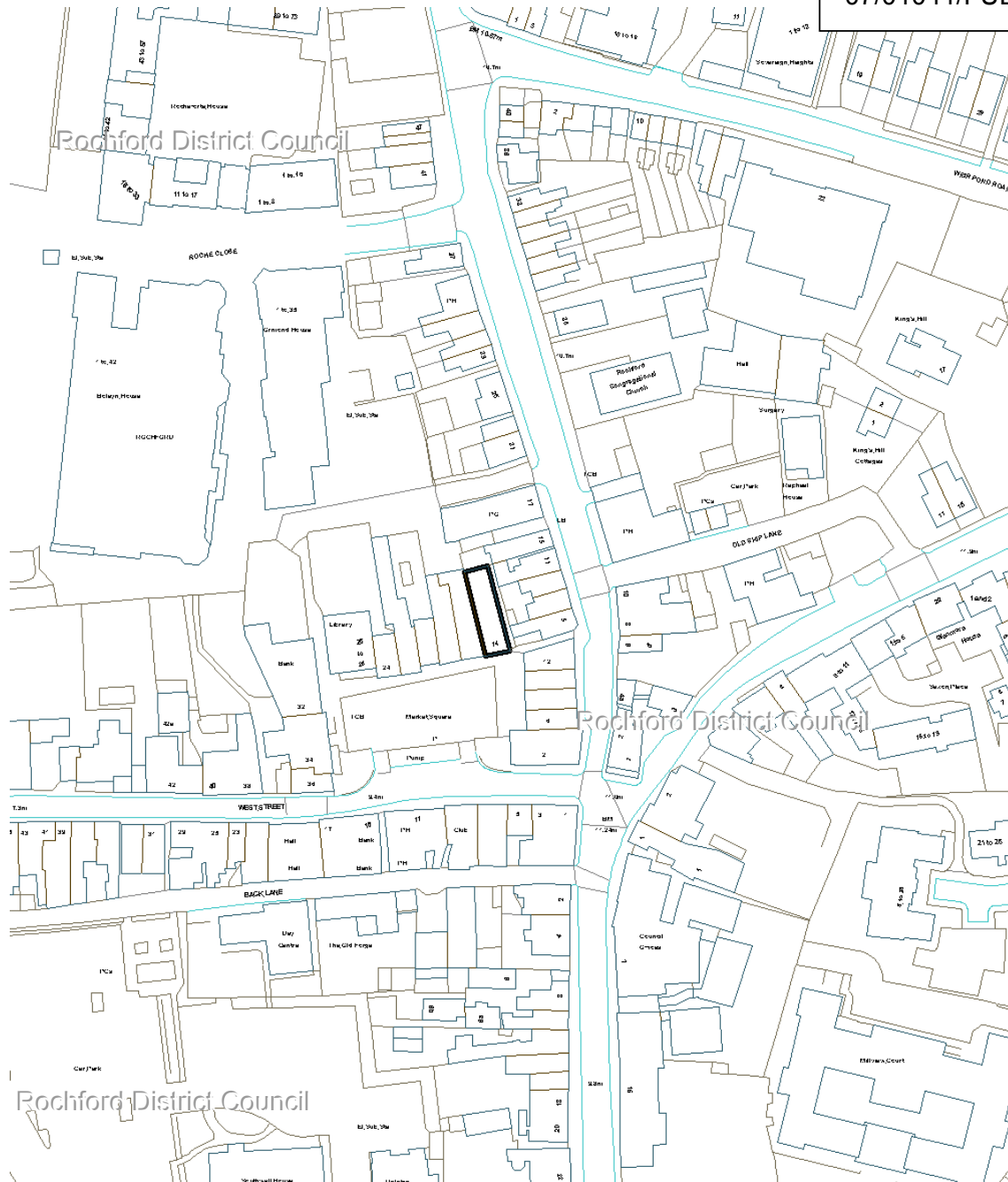


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07/01041/FUL



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## CODE OF CONDUCT FOR PLANNING MATTERS

### GENERAL PRINCIPLES

Members and Officers must:-

- **at all times act within the law and in accordance with the code of conduct.**
- **support and make decisions in accordance with the Council's planning policies/Central Government guidance and material planning considerations.**
- **declare any personal or prejudicial interest.**
- **not become involved with a planning matter, where they have a prejudicial interest.**
- **not disclose to a third party, or use to personal advantage, any confidential information.**
- **not accept gifts and hospitality received from applicants, agents or objectors outside of the strict rules laid down in the respective Member and Officer Codes of Conduct.**

In Committee, Members must:-

- **base their decisions on material planning considerations.**
- **not speak or vote, if they have a prejudicial interest in a planning matter and withdraw from the meeting.**
- **through the Chairman give details of their Planning reasons for departing from the Officer recommendation on an application which will be recorded in the Minutes.**
- **give Officers the opportunity to report verbally on any application.**

Members must:-

- **not depart from their overriding duty to the interests of the District's community as a whole.**
- **not become associated, in the public's mind, with those who have a vested interest in planning matters.**
- **not agree to be lobbied, unless they give the same opportunity to all other parties.**
- **not depart from the Council's guidelines on procedures at site visits.**
- **not put pressure on Officers to achieve a particular recommendation.**
- **be circumspect in expressing support, or opposing a Planning proposal, until they have all the relevant planning information.**

Officers must:-

- **give objective, professional and non-political advice, on all planning matters.**
- **put in writing to the committee any changes to printed recommendations appearing in the agenda.**

