

APPLICATION REFERRED FROM THE WEEKLY LIST

WEEKLY LIST NO. 1674 – 04 August 2023

23/00261/FUL

WATERSIDE FARM, THE CHASE, PAGLESHAM, ESSEX

**CONVERT EXISTING BARN TO FORM TWO HOLIDAY
LETS WITH ASSOCIATED LANDSCAPING**

1 DETAILS OF REFERRAL

- 1.1 This item was referred from Weekly List No.1674 requiring notification to the Corporate Services Officers by 1.00 pm on Wednesday, 09 August 2023 with any applications being referred to this meeting of the Committee.
- 1.2 Cllr S E Wootton referred this item on the grounds of potential flooding and water retention as well as concerns over wildlife and associated surveys.
- 1.3 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.4 A plan showing the application site is attached at appendix 1.

2 RECOMMENDATION

- 2.1 It is proposed that the Committee **RESOLVES**

To determine the application, having considered all the evidence.

Appendix 1

Application No :	23/00261/FUL Zoning : MGB
Case Officer	Mr Richard Kilbourne
Parish :	Paglesham Parish Council
Ward :	Roche North And Rural
Location :	Waterside Farm The Chase Paglesham
Proposal :	Convert existing barn to form two holiday lets with associated landscaping

1 SITE AND PROPOSAL

1. The site is located to the south of Paglesham Road at the far end of the village with access via a locked gate at the end of a gravel track, The Chase. The site measures approximately 0.45ha and contains a single storey brick built building, with a gross internal area of some 216m² in a horseshoe arrangement around a central courtyard. A dilapidated wooden hay store is located to the south of the site. The design takes the appearance of a block of stables. Historically the use of the building is considered to have been for agricultural purposes, however this use is considered to have lapsed with the building used for residential storage. Therefore, permitted development rights under The Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended) Schedule 2 Part 3 Class Q - agricultural buildings to dwellinghouses are not available in this case. The site is located within the Metropolitan Green Belt, the Coastal Protection Belt and Flood Zone 3.
2. The building is located some 122m from the nearest residential properties and some 220m from the main highway, Paglesham Road. The site is accessed via a gravel/grass track and locked gate adjacent to Orchard Cottage. This part of Paglesham is characterised by a number of residential properties, a pub and a boat yard and is served by a limited bus service to Southend-on-Sea and is considered to be a popular destination for visitors to the area.
3. Planning permission is sought to convert the existing building into two units of self-contained holiday let accommodation, with associated landscaping and parking provision. It is proposed to upgrade the existing track to a permeable surface, centrally grassed and form a small turning area and parking for up to five vehicles, including one disabled space to the front of the building.

RELEVANT PLANNING HISTORY

4. Application No. 19/00360/FUL - Convert existing rural barns to form two number holiday lets, with associated landscaping – Approved - 02.12.2019.
5. Application No. 22/01040/DOC - Discharge of conditions; 3 (Archaeology) 4 (Barn owl mitigation) 6 (Surface water drainage) 7 (Foul drainage) & 8 (Flood measures) of Planning Consent Reference 19/00360/FUL - 05.01.2023.

MATERIAL PLANNING CONSIDERATIONS

6. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
7. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014).

Green Belt considerations

8. The site is located within the Green Belt, as identified in the Council's adopted Allocations Plan (2014) and therefore needs to be assessed against local Green Belt policies and in relation to the National Planning Policy Framework (NPPF). There is a general presumption against inappropriate development within the Green Belt and development should not be approved, except in very special circumstances (Section 13, paragraphs 147 - 150). Inappropriate development is, by definition, harmful to the Green Belt.
9. Paragraph 150 criterion d) of the NPPF identifies developments which are not considered to be inappropriate within the Green Belt, provided that the open character is preserved. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction.
10. The NPPF should be considered alongside the Council's Development Plan Policies. Section 6 - The Green Belt of the Core Strategy policies GB1 and GB2 set out the short- and medium-term vision for the Green Belt. One aspect of this is the ongoing support of green tourism projects and rural diversification. In particular the acceptance of greater flexibility towards rural diversity has led to a number of bed and breakfasts and hotels facilitating stays within the countryside. One of the long-term visions for the district is to be recognised as a tourist destination with good access to the rivers and

waterways and increase the number of visitors to the nationally recognised RSPB nature reserve at Wallasea Island. Rural diversification is considered to be of particular importance in allowing other forms of economic activity that is necessary if existing and other rural enterprises are to remain viable.

11. Existing rural buildings already have an impact on the Green Belt openness and therefore the Council considers it appropriate to encourage the conversion of existing rural buildings for small scale employment use in preference to the construction of new buildings. The conversion of rural buildings for bed and breakfasts/small scale hotels is considered to be an appropriate way to realise green tourism within the district.
12. Green tourism in appropriate locations would need to balance the need to protect the character and openness of the Green Belt with the desire to support and enhance the local rural economy. It is also important to consider the potential ecological value of the site and the potential to support biodiversity.
13. These sentiments are also reflected in the Council's Development Management Plan Policies DM10 to DM23 in which compliance is not, by definition, considered to be inappropriate development. The relevant policies in this case are set out below:
14. Policy DM12 - Rural Diversification, which states that, 'rural diversification will be supported so long as it involves an appropriate form of rural activity, as outlined in the Core Strategy, and having regard to the following:
 - (i). the need to ensure that the proposed use would not have an undue impact on the openness of the Green Belt, character of the countryside, nature conservation interests, the historic environment, visual amenity or residential amenity;
 - (ii). the need to ensure that the proposed use would not introduce additional activity or traffic movements likely to materially and adversely affect the openness of the Green Belt or character of the countryside, or place unacceptable pressures on the surrounding highway network;
 - (iii). the sensitivity of the landscape character area to the proposed development;
 - (iv). the impact of the proposal on the agricultural value of the land;
 - (v). where rural diversification for employment opportunities is proposed, the area should have good links to the highway network particularly taking account of highway safety;
 - (vi). where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:
 - (a) not negatively impact on the quality of the listed structure; and
 - (b) not affect the integrity of the existing structure.

15. Policy DM13 - Conversion of Existing Agricultural and Rural Buildings in the Green Belt.
16. The reuse or adaptation of existing agricultural and rural buildings will be supported provided that, in addition to the criteria within DM12:
- (i). the application relates to an existing building of permanent and substantial construction;
 - (ii). the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11;
17. Policy DM14 - Green Tourism goes on to state that the conversion of existing agricultural and rural buildings to bed and breakfasts/small-scale hotels/holiday lets will be permitted in appropriate locations subject to the above policies and:
- a) the application relates to an existing building of permanent and substantial construction; and
 - b) the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11.
18. Overall, any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed, and nature conservation interests are protected.

Historic Importance of the Existing Building

19. The County Councils Place Services Specialist adviser on Conservation and Listed Buildings has been consulted regarding the proposed development and states *“The building affected by this application has the potential to be a non-designated heritage asset, it is present upon nineteenth century mapping of the area. To the north is the Paglesham East End Conservation Area. This application is identical to the previously consented application in 2019, 19/00360/FUL.*

Given that this application is identical to the previously approved application, I do not consider there to be any additional harm therefore I raise no objection to this application”.

20. Furthermore, Place Services Specialist Archaeological Advice is that the existing farm building is shown on historic mapping and elements of the historic fabric of the building could be destroyed during the proposed

conversion. Therefore, it is considered necessary to conduct a full historic building survey to 'preserve by record' the building prior to the commencement of the conversion works. This can be controlled by condition to any grant of planning permission.

Principle of Holiday Let Accommodation in this Area.

21. The NPPF considers residential development within the Green Belt to be 'inappropriate development' unless it can be demonstrated that very special circumstances exist that would outweigh any potential harm. The applicant has stated within the application that the proposed use is C1 - (hotels). As a matter of fact and degree the units proposed can easily operate as independent residential units of accommodation and are considered to fall within the use class C3 - (Residential). However as outlined within the policies above, green tourism and rural diversification are a key focus in Rochford District Council Core Strategy to support the rural economy and the aim to be a tourist destination and holiday lets, small hotels and bed and breakfast accommodation is considered to be appropriate subject to the criteria outlined above. Therefore, the use of the building should be, by condition, limited to a holiday let use, by restricting the time an individual or group can occupy the premises for and must not be their sole or main place of residence.
22. Despite the constraints within the locality of the site, the site contains an existing building of permanent and substantial construction, and it is not proposed to extend the building externally. Therefore, the conversion of the building is not considered to have a significant adverse impact individually or cumulatively on the environment, visually, ecologically or from traffic movements and is well related to a settlement or group of buildings. The close proximity to the river, the local wildlife and Wallsea Island provide valid justification for two small units of holiday let accommodation in this area. The site is within a rural location, however, is very much within close reach of the village of Paglesham and is easy to access via the main highway. The Plough and Sail pub in Paglesham is considered to be a draw to visitors to the area due to its ownership by the Oliver Family and its inclusion in the Good Pub Guide. The wildlife and river estuary are also considered to be an attraction for visitors to the area. Therefore, the principle of holiday let accommodation in this area is considered to be acceptable subject to the detailed considerations discussed below.

Impact on the Character and Appearance of the Area and the Openness of the Green Belt.

23. The existing building is of a brick-built construction and is in a relatively good condition including the roof which is tiled. No extensions are proposed to the existing building, and it is considered that the design approach of the

conversion is sympathetic to the character of the existing building and surrounding area by utilising the existing roof trusses, existing openings, and stable door character to any new openings. Visually it is considered that the conversion of the building would not harm the character of the area. With appropriate detailing it is considered that the conversion to holiday let accommodation would result in an enhancement of the immediate setting and bring back into service a disused building enhancing the rural economy.

24. The conversion would provide one three-bedroomed unit and one two bedroomed unit set around a central courtyard area. Any required domestic paraphernalia can be limited to the courtyard area, thus having a negligible impact on the open character of the Green Belt. The units are on one level with a small first floor flood refuge. Each unit is self-contained, comprising of a master bedroom with en-suite, bathroom and open plan kitchen, dining and living area. The proposal is therefore considered to be appropriate in this location.

Impact on Residential Amenity

25. Paragraph 130 (f) of the Framework seeks to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. This is reflected in Policy DM1, which seeks to ensure that new developments avoid overlooking, ensuring privacy and promoting visual amenity, and create a positive relationship with existing and nearby buildings.
26. The existing building is some 122m from the nearest residential properties and is not considered to have a detrimental impact on the amenity of neighbouring properties in respect of overlooking, dominance and privacy issues. The main issues are the impact of the operation of the development as units of holiday let accommodation in terms of noise and disturbance and increase in traffic movements.
27. Within a holiday let operation it is common practice for the owner/manager of the operation to meet the new arrivals in order for them to gain access to the property and familiarise them with the accommodation. Key boxes with pin codes are also used as well as providing visitors with a contact number in the case of delay or emergency. Generally, the occupiers of holiday lets remain within the unit in the case of bad weather or tend to spend the day out of the unit visiting the local area.
28. In any case, the overall impact of the use of the building as a holiday let is considered to be comparable to that of a residential property and is not considered to have a materially harmful impact on the neighbouring properties over and above that experienced currently from the other properties within

The Chase. Refuse collection is undertaken to the properties within The Chase and it is considered that this can be extended to the new holiday lets if required via the new access track. Therefore, the proposed development is considered to be acceptable and policy compliant in these regards.

Highway and Parking Impacts

29. Policies DM1 and DM3 of the Council's Development Management Plan require sufficient car parking, whereas Policy DM30 of the Development Management Plan aims to create and maintain an accessible environment, requiring development proposals to provide sufficient parking facilities having regard to the Council's adopted parking standards.
30. The Parking Standards Design and Good Practice guide (2010) states that for dwellings with two-bedrooms or more, two off-street car parking spaces are required with dimensions of 5.5m x 2.9m. Garage spaces should measure 7m x 3m to be considered usable spaces.
31. In accordance with paragraph 111 of the framework, it must be noted that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
32. There are no significant highway impacts resulting from the development due to the access via a private track. The access arrangements from the main highway would remain unaltered. A small gravel parking area and turning circle is proposed which would provide 4 parking spaces measuring 2.9m x 5.5m and one disabled space, with a level access footpath constructed to facilitate access to the building. There is also space within the store for the storage of bicycles. Full details of the parking area, in terms of materials and construction method can be requested to be submitted and agreed as a condition to any grant of planning permission.
33. Overall, it is considered there is sufficient car parking arrangements and appropriate access arrangements to serve the proposed dwelling. Colleagues in County Highways have been consulted and state that *"The proposal is in a private driveway and off-street parking and turning is included within the curtilage. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority"*
34. Furthermore, it is not considered that two holiday lets at this locality will cause demonstrable harm to the highway network. The additional comings and goings of vehicles as a result of this proposal will not result in significant disturbance to neighbours via noise and dust which can be substantiated and warrant a refusal. Generally, it is considered that the proposal is acceptable in

highway terms and would not have an adverse impact upon highway safety. The proposed development therefore accords with the Parking Standards and policies DM1, DM3, DM9 and DM30 of the Development Management Plan and the Framework.

Surface Water and Foul Sewage

35. This site is in an area where mapping shows that there is a low risk of surface water flooding. The development proposes the disposal of surface water via a Sustainable Drainage System (SuDS) and by utilising the existing pond. Surface water from the site has the potential to run into the adjacent ditch and could enter the nearby estuary, damaging the water quality and surrounding habitat. Full details of the proposed drainage system, including design standard, location, maintenance and management are to be submitted and agreed by condition. The same details are also required to be submitted and agreed for the proposed foul sewage package treatment plant.

Ecology and Habitat

36. The site is within the Coastal Protection Belt and adjacent to the Foulness SSSI. Section 15 of The NPPF (2021) and Policies ENV1 and ENV2 of the Council's Core Strategy are concerned with the protection and enhancement of the natural landscape, habitats and historical and archaeological sites and the protection of the coastline.
37. The application contains various supporting documents forming a full appraisal of the site and recommends mitigation measures where appropriate.

Habitat and Wildlife protection recommendations:

- Retain long grass meadow to provide continued habitat for a large range of taxa.
- The creation of log piles, compost heaps and dedicated habitat boxes would benefit invertebrates.
- All works should be undertaken outside the period 1st March to 31st August with all active nests retained until the young have fledged.
- Bird boxes to be installed on site.
- Any log piles of rubble etc, must be removed in the period February to November when reptiles are active.
- Any scrub or grass must be removed from the site in the period November to February when reptiles are inactive.
- Planting of fruit trees on the site would provide additional foraging for badgers.
- Minimise night-working to avoid disturbance to badgers and hedgehogs.
- Cap any pipes overnight to avoid animals becoming trapped.

- Cover trenches, holes or deep pits overnight or use secured planks to enable animals to escape.
- Hedgehog houses should be incorporated into the development site within the hedgerow.

Bats

38. To accompany their planning application the applicant has submitted a Bat Survey which was produced by Essex Mammal Surveys, which is dated August 2019. The submitted Bat Survey states that given the lack of potential roosting places and absence of any evidence of the presence of bats, no mitigation measures are required. It is probable that bats will forage across the site and this behaviour is considered to continue after the completion of the development.

39. The survey states “...*that this survey records the status of the property at the time of the survey. However, if more than a year were to elapse before the start of the building work, it is considered unlikely, due to the lack of potential roosting places, that bats would colonise the site during the intervening period*”.

Barn Owl Mitigation Plan

40. A barn owl mitigation plan has been submitted due to a nesting Barn Owl on the site. The mitigation plan provides details of measures which must be implemented to mitigate any impacts of the development on the barn owls and ensure compliance with legislation.

41. The purpose of the plan is to provide measures to:

- Ensure the continued roosting/nesting provision for barn owls on site while conversion works are carried out.
- Avoid potential harm and disturbance of roosting/nesting barn owls during the conversion works.
- Provide permanent roosting/nesting provision for barn owls within the converted building.

42. The mitigation plan sets out detailed recommendations for Pre-Commencement of development, during works and post development which are considered to be acceptable and must be followed in their entirety.

Flood Risk

43. The application is supported by a full site specific flood risk assessment. As the development ultimately relates to a change of use of an existing building

the application of the sequential test and by default the exception test is not applicable in this case.

44. The site is located in Flood zone 3 but is identified by the Environment Agency Flood Zone maps to be in an area which benefits from flood defences. The main area of risk is flooding from the River Roach. The development is not located within the functional floodplain and remains unaffected by flooding up to an event with a 1 in 1000 year return period. However, the risk of flooding is required to include an allowance for 1 in 100 years of climate change. Whilst there is considered some risk of flooding in the future, the impacts of climate change are uncertain and are likely to affect the development in its later years of use. In order to mitigate any flooding impacts, the installation of flood resistance and flood resilience measures can be incorporated into the conversion of the building.

Flood Risk Assessment

45. Colleagues in the Environment Agency have reviewed the submitted flood risk assessment (FRA), by Herrington Consulting Limited, dated April 2019, and consider it does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change.

In particular:

1. The proposed building would be at risk of flooding internally during its 100 year lifetime by approximately 2.46m depth in the design 0.5% (1 in 200) annual probability with climate change flood event through overtopping of the existing defences, and would therefore be unsafe for the occupants.
 2. The FRA shows that the proposed building would flood internally by over 3m depth in the 0.1% (1 in 1000) annual probability with climate change undefended (breach) flood event, and the planning application plans show that the 'higher refuge' is approximately 2.1m above ground floor level, so there is likely to be no higher refuge available within the holiday let development, or safe access available. Consequently, there may be an unacceptable risk to the health and safety of the occupants in an extreme flood event.
46. Colleagues in the Environment Agency stated that the applicant can overcome our holding objection by:
1. Raising finished floor levels to prevent internal flooding of the development through overtopping of the defences and the subsequent damage to people and property, by raising finished floor levels above the 0.5% (1 in 200) annual probability with climate change on-site actual risk overtopping

flood level, including a 300millimetre freeboard, to a level of 5.47mAOD. This is in line with the requirements of Paragraphs 004 and 042 of the Guidance 'Flood Risk and Coastal Change' which advises measures to avoid flood risk vertically can be taken, by locating the most vulnerable uses on upper storeys, and by raising finished floor and/or ground levels, including avoiding internal flooding from residual risk.

47. The site currently benefits from flood risk management structures which protect it from the present day 0.5% annual exceedance probability flood level (the 'design flood', as referred to in paragraph: 002, reference ID: 7-002-20220825 of the Planning Practice Guidance). However, with the addition of projected sea level rise on sea/estuary/tidal levels and other anticipated effects of climate change, these structures could overtop in the design flood, over the lifetime of the development.
48. The Shoreline Management Plan (SMP) policy for this area is 'hold the line' until 2025 and then Managed Realignment from 2025 until 2055 (with realigned defences to protect Paglesham Eastend, however it is not clear whether the location of the proposed development would be protected), followed by Hold the Line of the new defence line from 2055 until 2105. Therefore, it is possible that the flood risk management structures may be raised to maintain the required standard of protection in line with NPPF guidance for the lifetime of the development.
49. However, the SMP policy is aspirational rather than definitive, so whether the structures are raised or reconstructed in the future will be dependent on the availability of funding. The level of funding that we can allocate towards flood risk management structure improvements is currently evaluated through Treasury cost benefit analysis, and any identified shortfalls in scheme funding requirements would require partnership funding contributions from other organisations or beneficiaries. As securing partnership funding cannot be guaranteed, we consider that the development should be safe on its own merits, i.e. through raised floor levels. However, we recognise that there may be the potential for future, forthcoming partnership funding contributions from other organisations and beneficiaries. If the Local Authority are confident that there is an existing or an upcoming collaborative approach to raise and secure the necessary partnership funding to meet any shortfalls in the long term, then we will look to remove our objection to the proposed development. This is because future flood risk management structures are likely to prevent the development flooding in the design flood event during the development's lifetime and will help to make the development safe.
1. Providing a satisfactory higher refuge accessible to the occupants of the holiday lets above the 0.1% (1 in 1000) annual probability with climate change undefended (breach) flood depths, including a 300 millimetre

freeboard to a height of 6.17mAOD. The FRA proposes that the safety of the occupants is reliant on the Flood Response Plan proposed in the FRA. However due to the vulnerable nature of residential development we have concerns as to whether in this instance it is appropriate or safe for the proposed holiday lets to flood internally to 3m deep on the ground floor and 1m deep within the first floor refuge.

50. Consequently, if a higher refuge is not provided for holiday lets then we will only remove our objection if the local council, in consultation with their Emergency Planner, inform us in writing that they accept the flood risk to the future occupants and consider the proposed risk of internal flooding in a breach to be acceptable and safe and able to be managed through the Flood Response Plan.
51. In relation to the above, the Councils Emergency Planner has been consulted and states the owners need to ensure that visitors receive Environment Agency Flood Warnings and will evacuate the property on receipt of the warnings. This will avoid putting the visitors at risk and prevent putting the Emergency Services at risk in carrying out a rescue.
52. As the property is for holiday accommodation, should their need to be an evacuation because of flood risk, the residents should return home. The Council would not have to provide temporary accommodation and will have no responsibility for rehousing.
53. On this basis, the safety of visitors would be assured and there would be no commitment of Council resources in a flood incident so there are no objections to the proposal going ahead.

Sequential Test

54. The existing buildings fall within Flood Zone 3, which are at the highest risk of flooding. The use of the buildings previously (storage) to what is now proposed i.e. 2No. holiday lets, represents an increase in flood risk vulnerability. Usually, a sequential test would be required to determine whether any other land within the authority area could accommodate the proposed use.
55. However, paragraph 168 of the NPPF states that Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessment. Footnote 56 advises that the minor development and change of use referred to “includes householder development, small non-residential extensions (with a footprint of less than 250m²) and changes of use; except for changes of use to caravan, camping or chalet site, or to mobile home or park home site, where the sequential and exception tests

should be applied as appropriate”. On the basis of paragraph 168 and footnote 56, it is not considered that a sequential test is required.

Trees

56. Policy DM25 of the of the Council’s Development Management Plan 2014 states that:

‘Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.

Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.’

57. According to the case officers site visit there are no significant trees which would be impact by the proposed development. Consultations have taken place with the Councils Arboricultural Officer and no objections have been raised to the proposal. Therefore, it is considered that the proposal complies with policy DM25.

CONCLUSION

Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Paglesham Parish Council: No comments received.

Environment Agency: Object for the following reasons

1. The proposed building would be at risk of flooding internally during its 100 year lifetime by approximately 2.46m depth in the design 0.5% (1 in 200) annual probability with climate change flood event through overtopping of the existing defences, and would therefore be unsafe for the occupants.

2. The FRA shows that the proposed building would flood internally by over 3m depth in the 0.1% (1 in 1000) annual probability with climate change undefended (breach) flood event, and the planning application plans show that the ‘higher refuge’ is approximately 2.1m above ground floor level, so there is likely to be no higher

refuge available within the holiday let development, or safe access available. Consequently, there may be an unacceptable risk to the health and safety of the occupants in an extreme flood event.

Rochford District Council Emergency Planner: As the property is for holiday accommodation, should their need to be an evacuation because of flood risk, the residents should return home. The Council would then not have to provide temporary accommodation and will have no responsibility for rehousing.

On this basis, the safety of visitors would be assured and there would be no commitment of Council resources in a flood incident so I would have no objections to the proposal going ahead.

Essex County Council Highways: No objections the proposal is in a private driveway and off-street parking and turning is included within the curtilage. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.

Rochford District Council Arboricultural Officer: No objections.

Essex County Council Places Services Historic Buildings and Conservation Advice: No Objections.

Essex County Council Places Services Specialist Archaeological Advice: No objections subject to the following being conditioned.

'No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority'.

A professional team of archaeologist building recording specialists should undertake the recording work. This work will consist of a historic building survey at Level 3 undertaken prior to conversion works commencing. The District Council should inform the applicant of the recommendations and its financial implications. A design brief detailing the requirements will be produced from this office on request.

Neighbour representations : No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework (2021)

Rochford District Council Local Development Framework Allocations Plan (Adopted February 2014)

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) - GB1 (Green Belt Protection), GB2 (Rural Diversification and Recreational Uses), ENV1 (Protection and Enhancement of the Natural Landscape and Habitats and the Protection of Historical and Archaeological Sites, ENV2 (Coastal Protection Belt) and ENV3 (Flood Risk)

Rochford District Council Local Development Framework Development Management Plan (December 2014) - DM12 (Rural Diversification), Policy DM13 - (Conversion of Existing Agricultural and Rural Buildings in the Green Belt), Policy DM14 - (Green Tourism) and DM30 (Parking standards) and DM27 (Species and Habitat Protection).

Parking Standards Design and Good Practice Guide (2009)

Natural England Standing Advice

RECOMMENDATION: APPROVE

Conditions:

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2842/02 Revision C and 2842/01 received by the Local Planning Authority on the 20th March 2023.

REASON: To ensure that the development is carried out in accordance with the details as approved.

3. Prior to commencement of the development or preliminary groundwork's a programme of archaeological work in accordance with a written scheme of investigation shall be submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the agreed programme.

REASON: To allow proper investigation and recording of the site, which is of archaeological and historic significance.

4. Prior to commencement of the development hereby approved all of the Pre-commencement recommendations contained within Section 2.1 of the submitted Smart Ecology Barn Owl Mitigation plan reference 2019-019 dated 04/04/2019 submitted in support of the application must be fully implemented. In particular no development is to commence if after the mitigation measures are implemented Barn Owls are found to be nesting within the building. Implementation may only proceed once the young barn owls have fledged and the nest is no longer in use.

REASON: In order to secure the protection and preservation of features of ecological interest.

5. The recommendations within Section 2.2 During Works and Section 2.3 Post Development of the Smart Ecology Barn Owl Mitigation plan reference 2019-019 dated 04/04/2019 shall be fully adhered to at the relevant stages of the development hereby approved, with particular regard to the timings of development and the roost/nest box provided is to be retained after the development in completed.

REASON: In order to secure the protection and preservation of features of ecological interest.

6. Prior to the commencement of any ground works, a scheme for dealing with surface water drainage from the development by means of a sustainable drainage system (SUDs), with appropriate filtration to prevent pollutants entering the pond from the proposed vehicular parking area hereby approved, must be submitted to and approved in writing by the Local Planning Authority. This must include details of the ongoing management and maintenance of the scheme. The appropriate design standard for the drainage system must be the 1 in 100-year event plus an allowance for the predicted increase in rain fall due to climate change. The approved drainage scheme must be implemented before the first beneficial use of the building at the site for the purpose of a holiday let. It must be maintained and managed in accordance with the agreed details in perpetuity.

REASON: To limit the potential for increased surface water runoff from the site and prevent damage to the water quality of the nearby estuary and habitat.

7. Prior to the commencement of the development a scheme of foul drainage for the development approved must be submitted to and approved in writing by the Local Planning Authority and such drainage works will be carried out concurrently with the development hereby approved, or as may be agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is adequately drained and does not increase the risk of flooding or pose a risk to public health or the environment.

8. Prior to the commencement of the development hereby approved details of the proposed flood resilient and flood resistant measures to be incorporated into the development along with an emergency flood plan for the completed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure the ability of the approved building to withstand the effects of flooding in the interest of the safety of the future occupiers of the site.

9. Prior to the first occupation of the development hereby approved, the mitigation/compensation measures detailed in the submitted ecological survey conducted by Arbtech and dated 25/02/2019, in particular those which have been specifically identified by the Local Planning Authority within the officer report shall be fully implemented and retained for the lifetime of the development.

REASON: In order to secure the protection and preservation of features of ecological interest.

10. Prior to their first use on site, details or samples of all external materials, including walls, roof, fascia, rainwater goods, rooflights, doors, windows, paving, boundary treatment, access way and parking area to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

REASON: To ensure a satisfactory form of development in sympathy with the existing development and the character of the surrounding area.

11. The owners of the holiday lets hereby approved shall ensure that visitors receive Environment Agency Flood Warnings and will evacuate the property on receipt of the warnings.

REASON: To ensure the ability of the approved building to withstand the effects of flooding in the interest of the safety of the future occupiers of the site.

12. Prior to the first occupation of the development hereby approved full details of the hard and soft landscaping which shall form part of the development must

be submitted to and approved in writing by the Local Planning Authority. The details should include any retention of hedgerow on the site and details of:

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- paved or otherwise hard surfaced areas;
- existing and finished levels shown as contours with cross-sections if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;
- minor artifacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc which must be limited to the Courtyard area.

The approved plan shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub, hedge or other plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site, in the interests of maintaining the openness of the Green Belt.

13. The use of the building as a holiday let as hereby approved shall not commence until the access way, parking and turning areas, as shown on the submitted plans, have been laid out and surfaced in a material to be submitted to and agreed in writing by the Local Planning Authority. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

REASON: In the interests of the appearance of the site and neighbouring residential amenity.

14. The individual holiday units hereby permitted shall:

- a) be occupied for holiday purposes only;
- b) not be occupied as a person's sole or main place of residence;

c) not at any time be occupied by any individual or group of persons for a period of more than 28 days in any calendar year.

The owners/operators of the holiday lets shall maintain an up-to-date register of the names of all occupiers of each individual holiday let on the site and of their main home addresses and shall make this information available at all reasonable times when requested to do so by the Local Planning Authority.

REASON: In order to clarify the scope of the permission limited to holiday use and to ensure the site does not become used for permanent residential homes detrimental to the openness of the Green Belt , Coastal Protection Belt and flood risk. The site is permitted for holiday purposes only in the interest of contributing to tourism and the local economy.

15. No motorised or organised outdoor activities, including but not limited to motor bikes, quad bikes, paintballing, rifle or clay pigeon shooting or archery shall be undertaken within the site at any time.

REASON: To protect the residential amenity of the occupiers of the neighbouring properties and the wildlife present within the site.

16. Prior to the first occupation of the development hereby approved, details of the proposed refuse and recycling storage and collection and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The proposed development shall be carried out in accordance with the approved details.

REASON: In order to protect the character and visual amenities of the site and the environment.

17. Prior to first use of the building as a holiday let as hereby approved, details shall have been submitted to and approved in writing by the Local Planning Authority to re-position the gate to the access track to the site in order to avoid vehicles accessing the site idling to the front of neighbouring dwellings which front the access track. The gate shall have been re-positioned or removed as agreed prior to the first beneficial use of the building hereby approved and maintained in the agreed form in perpetuity. No other gates shall be erected across the access track.

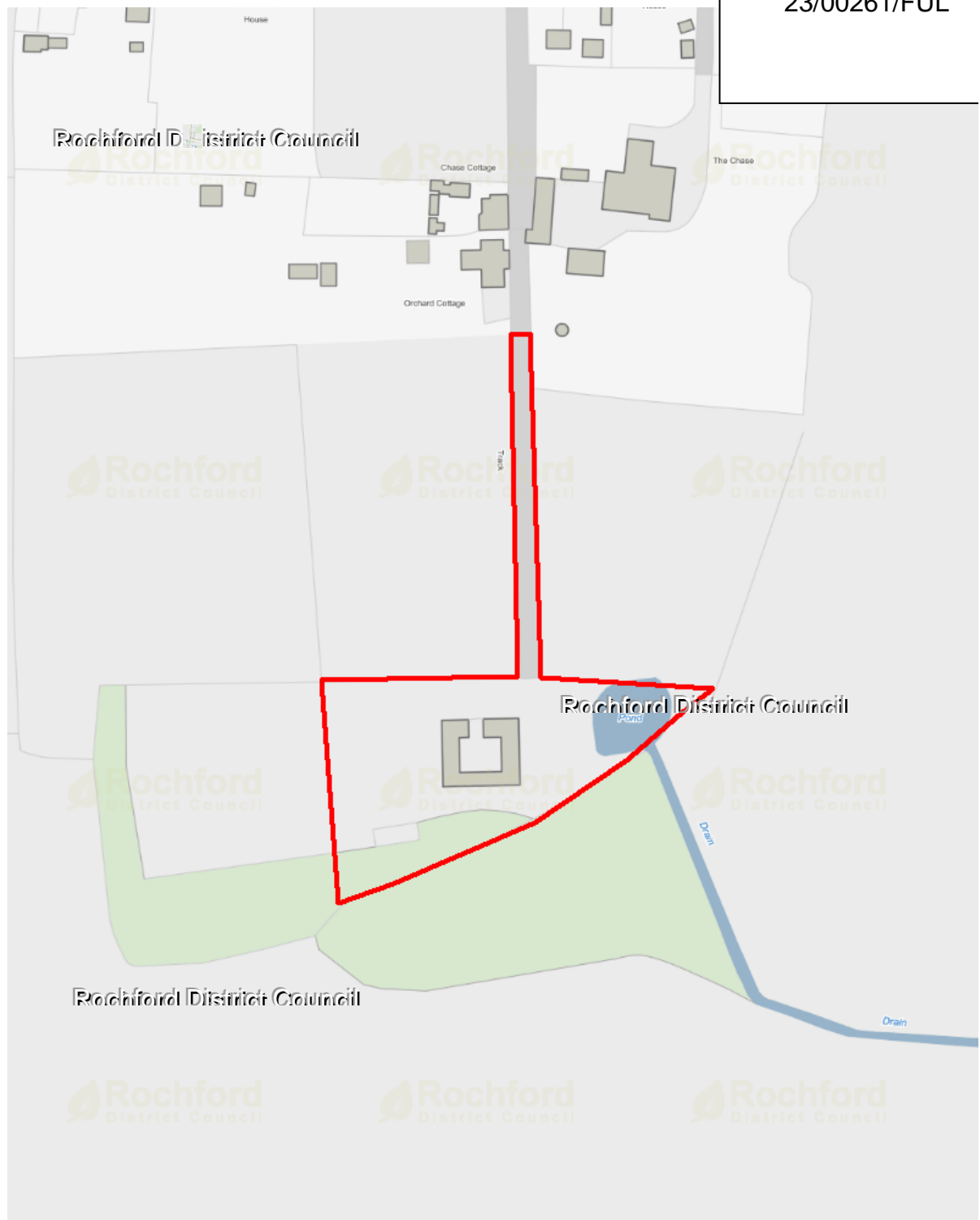
REASON: In the interests of residential amenity to mitigate against vehicular emissions being emitted directly outside a neighbour's bedroom window and against the possibility of noise nuisance at any time of day or night from vehicles outside the neighbour's bedroom window.

The local Ward Members for the above application are Cllr. S. Wootton,

Cllr. I. A. Foster and Cllr. Mrs. L. Shaw.

Appendix 2

23/00261/FUL



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