



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
PLANNING SERVICES COMMITTEE 20th March 2003**

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 thereunder. 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 Services, Acacia House, East Street, Rochford.

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





## **PLANNING SERVICES COMMITTEE - 20 March 2003**

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### **HOCKLEY WEST**

Cllr Mrs L Hungate

### **FOULNESS AND GREAT WAKERING**

Cllr T E Goodwin

Cllr C G Seagers

Cllr Mrs B J Wilkins

### **ROCHFORD**

Cllr R A Amner

Cllr Mrs L Barber

Cllr Mrs M S Vince

### **WHITEHOUSE**

Cllr S P Smith

Cllr P F A Webster

**PLANNING SERVICES COMMITTEE - 20 March 2003 Item D1**  
**Deferred Item**

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**TITLE :** 02/00036/FUL  
**ERECT FOUR 4-BED DETACHED DWELLINGS (THREE WITH DETACHED AND ONE WITH INTEGRAL GARAGE) LAYOUT PRIVATE DRIVE AND ACCESS (DEMOLISH EXISTING DWELLING)**  
**232 EASTWOOD ROAD, RAYLEIGH**

**APPLICANT :** KNIGHT DEVELOPMENTS LTD

**ZONING :** RESIDENTIAL

**PARISH:** RAYLEIGH TOWN COUNCIL

**WARD:** WHITEHOUSE

**SITE AREA:** 0.2Ha

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This item was deferred from Planning Services Committee 20<sup>th</sup> February 2003 for a Site Visit.

The report is repeated below.

**PLANNING APPLICATION DETAILS**

- 1.1 The proposals anticipate the demolition of the frontage dwelling at 232 Eastwood Road. In the place of this dwelling a new dwelling and access road would be provided. The access road would service a further three dwellings which are proposed to the rear (south) of the plot and behind the neighbouring dwellings at 230, 234, 234a and 236.
- 1.2 The dwellings have heights which vary, but with the greatest being to the eaves of 5.8m and to the ridge of 9.8m. Three of the dwellings are to be provided with detached double garages and the fourth is to have an integral garage, again, double. At the rear of the plot the dwellings are to be arranged around a hard surfaced turning area.

**RELEVANT PLANNING HISTORY**

- 1.3 Application 00/00406/OUT. This proposed the development of five dwellings on the site (one to the frontage and four to the rear). This was refused by the Authority and an appeal dismissed.

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**CONSULTATIONS AND REPRESENTATIONS**

- 1.4 Essex County Council **Highway Authority** raise no objections subject to conditions in relation to the width of the accessway, parking spaces and the materials of construction of it.
- 1.5 Essex County Council **Urban Design Team** makes some detailed comments about building design but raises no fundamental objections. It is suggested that the integral garage to plot three could be altered to the opposite end of the dwelling.
- 1.6 **English Nature** notes that no designated sites of wildlife interest are likely to be affected, but that bats may use the existing frontage dwelling. The presence of protected animals is a material consideration and, if any are found to be present, appropriate survey work should be commissioned.
- 1.7 The **Woodlands and Environmental Specialist** initially commented that an assessment should be provided by the developer of the impact of the proposed development on trees on/adjacent to the site. Once such an assessment was received he comments that the submitted report is thorough, accurate and relevant. He is concerned at the impact of one of the proposed dwellings in relation to two TPO trees on the site. He considers there will be a requirement to trim the trees and their future growth will not be accommodated.
- 1.8 The **Environment Agency** notes that the application site is at risk from fluvial flooding and initially objected to the proposals prior to the submission of an acceptable flood risk assessment. Now that such an assessment has been provided the EA has commented verbally (at present) that its objection is now withdrawn.
- 1.9 **Anglian Water** has no objections and reiterates its comments in relation to the previous application on this site. These were that a condition should be applied requiring details of surface and foul water drainage systems be submitted and agreed.
- 1.10 **Rayleigh Town Council** has no objections.
- 1.11 **Essex Police** Architectural Liaison Officer has no objections but suggests appropriate signage to enable the dwellings to be identified. Secured by design is promoted.
- 1.12 Rayleigh Civic Society considers that the proposals are a minor improvement to the previously refused scheme. Concern is raised with regard to the potential for damage to two trees. Privacy for some of the dwellings is considered poor and the site layout cramped. Location to avoid flood risk implications probably causes this.
- 1.13 The Property Maintenance & Highways Manager (**Engineers**) notes the location adjacent to the main river and the associated flood risk.

- 1.14 With regard to the response received from neighbouring occupiers, eleven copies of the same letter were received, four of which had no identified address. Individual responses were received from a further five other local residents. The issues raised, in the main, were:
- insufficient detail or inaccuracies on the submitted plans/ drawings;
  - loss of security, privacy and sunlight/daylight;
  - overdominant impact;
  - insufficient parking/ exacerbate congestion and road/accident hazards;
  - noise
  - inadequate pedestrian access, or for large vehicles;
  - potential flood risk;
  - requirement for pumped foul drainage/ inadequate capacity;
  - implications for wildlife;
  - lack of attention to the issues identified as part of the earlier appeal dismissal;
  - disruption/damage during construction and to the school (Wyburns) to rear.
- 1.15 Reconsultation has been carried out with immediate neighbours to the site on the basis of a revised site layout plan (moving the dwellings by amounts of up to 1.5m). The results will be set out in the addendum paper to the committee.

## **MATERIAL PLANNING CONSIDERATIONS**

### **Previous appeal**

- 1.16 Members will see from the detail in relation to previous applications above, that recent proposals on this site were refused by this Authority with a subsequent appeal dismissed. Despite that decision the Inspector, in the appeal decision, set out a number of views which must now have a bearing on the decision made here. They are taken into account in the appropriate section of the report below.

### **Trees**

- 1.17 There are a number of trees on the site and, in particular, some which are protected by TPO. Those which are likely to be affected by the proposals are T1 of TPO 04/00, an oak tree which is located in the area of the accessway to the site, and trees T1 and T2 of TPO 03/00 which are an ash and oak located to the west side of the development site.
- 1.18 As indicated, the applicant has engaged consultants to undertake a tree assessment report. In the report, the consultant has assessed all existing trees in terms of the desirability of their retention in accordance with a British standard approach. The TPO trees are identified as either desirable or most desirable to retain.

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- 1.19 In relation to tree T1 of 04/00, it is noted in the report that the oak is at less than a third of its life expectancy. Within a distance of 5m of this tree the driveway access to this site should be formed by a no dig construction. When dealing with the previous appeal the Inspector indicated that the driveway should be directed away from the tree and a separation distance of 2.5m from the trunk is now achieved.
- 1.20 In relation to trees T1 and T2 of 03/00 the report suggests that these can be accommodated and that access can be achieved for construction scaffolding during development. Tree T1 is noted as a multi-stemmed Ash which would possibly require surgery irrespective of any proposed development. T2 is noted as an early mature oak, but there is no comment as to the possible impact on the growth of the tree.
- 1.21 Taking account of the comments of the Woodlands and Environmental Specialist above it is considered that a reasonably thorough assessment of the impact of the development has been made and suitable recommendations put forward in relation to
- 1.22 T1 of TPO 04/00. In relation to trees T1 and T2 of 03/00 it was considered that the proposals in their initial form, would lead to pressure on the trees in the longer term, and problems of access to allow development. As a result, the applicant has now modified the proposals slightly to move the proposed dwellings marginally further from these trees and reduce the pressure on them during development and thereafter.
- 1.23 Previously the Inspector was concerned at the proposed loss of T2 (which was proposed on the earlier scheme). The impact in relation to T1 was less clear, but it appeared that there would be no direct impact as a result of the earlier scheme.

**Access**

- 1.24 Access is to be created within the plot of the current 232 Eastwood Road and what will become plot 1 of the new development. The access which comprises a private drive will have a width of 4.5m for the first 10m (wider where it meets the Eastwood Road carriageway) and then narrows down to some 3.8m. This is similar to the arrangement proposed previously. Although permission was refused, the access arrangement and specification and any impact it would have on amenity was not a reason for refusal previously. The appeal Inspector considered that the access was acceptable.

**Visual and Amenity Impacts**

- 1.25 Previously it was considered that the development proposals for the site constituted a cramped form of development which would appear as over development. The Inspector commented that there was no difficulty in replacing the bungalow at no 232 with a two storey house of the size proposed at the time. The two storey dwelling now proposed is of a similar footprint. In terms of height it is not considered (at ridge height of 9.2m) to have an unacceptable visual or other impact. The only windows at first floor to the sides are to be obscure glazed.

- 1.26 Previously the dwelling to the east of no 2 The Croft was located 13m from it. The removal of the intervening tree would, it was considered, lead to the new dwelling having an unacceptable impact on the existing. The closest part of the dwelling to plot 2 is now marginally increased at some 13.4m approx from no 2 the Croft. Now however the width of the part of the dwelling which is this close has reduced from 7.5m to 5.5m. The new dwelling is to have a further projecting rear element, but this is some 21m from no 2 at the closest, and where it is visible. In addition, the intervening trees are now to be retained (trees T1 and T2 of TPO 03/00). There will be some raising of the levels of the land here (in response to flood risk issues – see below) such that the dwelling will be some 0.9m above the average level of the ground here. The dwelling here is to have a height of 7.9m to the ridge.
- 1.27 There are no first floor windows to the gable end of the new dwelling which faces no 2 The Croft and only one to the rear projecting element which faces this way which is to be obscure glazed. There is a garage which is to be placed adjacent to the boundary with no 2 The Croft but this will be located behind an existing outbuilding within the curtilage of the dwelling at The Croft. Given these overall layout circumstances, it is not now considered that the amenity impact on the occupiers of no 2 The Croft is an unacceptable one.
- 1.28 Previously the dwelling to plot 5, which was to present a rear elevation of 11.5m length to the dwellings at 234 and 234a Eastwood Road, 1m from their boundaries, was considered by the Inspector to have an overbearing impact. The dwelling which now most affects these dwellings is that proposed to plot 4. It presents a flank of 7.1m width to the adjacent properties still at 1m distant from the common boundary. The overall separation distance from building to building will be 18.4m and a blank gable will be presented by the new dwelling.
- 1.29 The dwelling to plot 4 is located such that its rear elevation is 8.4m approx from the boundary of the garden to 238 Eastwood Road. This distance is less than the Essex Design Guide stipulation of 15m but, as appeal decisions elsewhere have indicated, Inspectors do not consider that slavish adherence to those standards is appropriate given the later government guidance aimed at ensuring the efficient use of land in PPG3, Housing. In this case there are a number of established trees within the garden to no 238 rear of the new dwelling which are to be retained, it is also a very long rear garden. In addition, where views are had, this will be at a distance some 25 to 30m from the rear of the dwelling at no 238 and therefore distant from the most sensitive part of the dwelling.
- 1.30 Other instances where overlooking may occur are from the upstairs of the new dwellings on plots 2 and 3 towards the existing dwellings on Eastwood Road to the north. The building on plot 2 is located some 8m distant from the rear boundary to 230 Eastwood Road. The two buildings will be approx 31m apart. The front of the building to plot 3 is 15m from the boundary of 234 Eastwood Road to the north and there is 33m between the buildings.

- 1.31 With regard to the previous scheme, the Inspector considered that the layout was cramped and awkward, without any sense of place and that some of the dwellings had particularly awkward inter-relationships. Now it is considered that the layout has produced a form of development where the buildings, visually, relate well to each other with garaging much less prominent in the appearance of the area. It is considered that much better attention has been paid to ensuring a design and form of development which is appropriate for the site rather than the previous scheme where pre-determined house types were then superimposed on the site.

**Drainage**

- 1.32 The applicants have carried out a flood risk assessment for the site given the initial objections raised by the Environment Agency (EA). In conjunction with this a surface water drainage strategy has been devised. The consultants engaged to undertake the exercise have proposed that the dwellings be sited at a height greater than the flood risk level for the site (provided in advice from the EA). As this will require raising the level of the land, and hence reduce the flood storage capacity, alternative capacity equal to that displaced is to be provided at the south east end of the site. As indicated the EA have verbally confirmed that this approach is acceptable. The drainage strategy aims to ensure that the drainage rate from the site to the brook is the same after development as it is at present. This is to be achieved by the provision of 'oversized pipes' (which accommodate storage) and a hydrobrake (which only allows outflow at the current undeveloped site rate. The hydrobrake is fitted with non return valves which prevent backflow in times of flood or significant rainfall.

**Wildlife**

- 1.33 The possibility of wildlife interest on the site was raised when the earlier proposals for the development of the site were presented. No substantive evidence of any such interest was demonstrated however and the Inspector, when dealing with the previous appeal dismissed the issue.
- 1.34 English Nature raises the issue of the possibility of the frontage dwelling being a bat roost, and the implications of this can be met by an appropriate condition. Otherwise, the Woodlands and Environmental Specialist has not raised the possibility of interest on the site as an issue and it is considered that it would be inappropriate to resist any development on that basis.

**CONCLUSION**

- 1.35 The scheme represents a form of backland development which is similar to that which has been implemented to the west of this site at The Croft. An earlier scheme has been considered and dismissed, but many parameters for the development of the site have been established as a result.

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- 1.36 The access to the site is considered acceptable. The development proposals will have some impact in relation to the protected and other trees on the site and the residential amenity of the adjoining occupiers. Overall however it is considered that the impacts are not so excessive that the proposals should be resisted on the basis of them.
- 1.37 Flood risk and drainage assessments have been carried out and any issues in relation to these matters addressed.

**RECOMMENDATION**

- 1.38 It is recommended that this Committee **RESOLVES** to **APPROVE** this planning application subject to the following heads of condition:

- 1 SC4 Time Limits
- 2 SC9A Removal of existing building
- 3 SC14 Materials
- 4 SC23 PD Restricted obscure glazing
- 5 SC50A Means of enclosure
- 6 SC59 Landscaping
- 7 Accessway construction details
- 8 Surface water drainage
- 9 Foul water drainage
- 10 Implementation of flood protection measures
- 11 TPO and tree protection
- 12 Bat roost habitation mitigation

**Relevant Development Plan Policies and Proposals:**

H1, H2, H11, H19, H20, H24 Rochford District Local Plan First Review

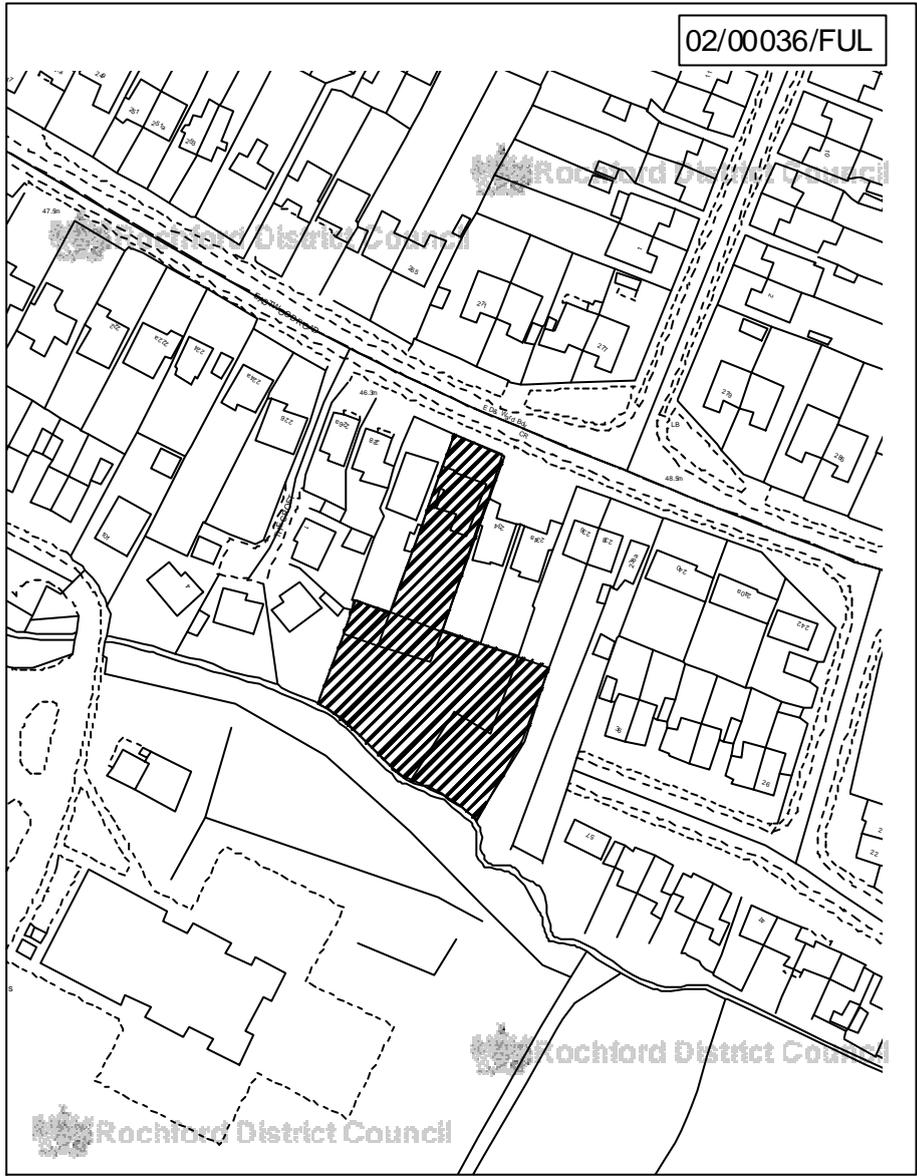
CS1, CS2, BE1, H2, H3, H4 Essex and Southend-on-sea Replacement Structure Plan



Shaun Scrutton  
Head of Planning Services

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For further information please contact Kevin Steptoe on (01702) 546366.



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## **PLANNING SERVICES COMMITTEE - 20 March 2003 Item D2 Deferred Item**

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**TITLE :** 02/00455/REM  
**ERECT SIX 3-BED SEMI-DETACHED DWELLINGS, LAYOUT  
ACCESS AND PARKING AREAS (RESERVED MATTERS  
FOLLOWING OUTLINE PERMISSION OL/490/98)  
WESTVIEW, CHURCH ROAD, HOCKLEY**

**APPLICANT :** ALBION MANAGEMENT SOLUTIONS LTD

**ZONING :** RESIDENTIAL

**PARISH:** HOCKLEY PARISH COUNCIL

**WARD:** HOCKLEY WEST

**SITE FRONTAGE:** 24.38                      **SITE AREA:** 1870 sq. m (Approx)

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### **PLANNING APPLICATION DETAILS**

- 2.1 Outline permission for development at this site was granted following an appeal in relation to application OL/0490/98/ROC. That application related to all of the land within the site of the property Westview on Church Road. As depicted in the Local Plan only part of this land is within the residential zone, the remainder being in the Green Belt. As a result permission was refused by this Authority. On appeal, the Inspector felt able to give a 'split decision' whereby he gave approval for the land within the residential zone, but not to that outside it.
- 2.2 This application constitutes reserved matters then in relation to that land for which outline approval was granted. Six properties are proposed in total, consisting of three pairs of semi-detached dwellings. The dwellings will have a height to the eaves of 4.7m or lower and to the ridge of maximum, 8.6m. No garages are to be provided as part of the development but plots 1 to 4 are to have car ports. Other provision for parking will be made by means of separate spaces.
- 2.3 One of the pairs of semis is to be accessed direct from the Church Road frontage. A roadway shown to be of adoptable standard would service the remaining four dwellings.
- 2.4 These proposals have been amended during the course of dealing with this application. Initially, eight dwellings were proposed which were to have rooms in the roofspace. Some of the responses below relate to the application as it was initially submitted.

- 2.5 Members may recall that these proposals were reported to the January meeting of this committee. The matter was deferred from that meeting to allow the applicant the opportunity to put forward further information with regard to the reasons for refusal recommended at that stage. Further information was submitted, but this was beyond the deadline to enable the matter to be reported to the February meeting. Subsequently the applicant has appealed to the Planning Inspectorate on the basis of non-determination of the proposals. This report now therefore seeks to establish the position of the Authority were it still in a position to reach a determination on the matter. The further information submitted sought to overcome the reasons for refusal set out in the earlier committee report and has been the subject of further consultation. Any further responses not included in 'third round consultation responses' below, will be included in the addendum to the meeting.

### **RELEVANT PLANNING HISTORY**

- 2.6 There are two other outstanding appeals under consideration in relation to this site. Application 02/00453/REM was a further reserved matters application which proposed the development of five dwellings and associated access. This application was submitted at the same time as that which is the subject of this report. However it was considered invalid, largely as a result of the extent of the land referred to in it extending beyond that for which outline planning permission was granted.
- 2.7 Nevertheless, the applicant has appealed to the Planning Inspectorate with regard to the non determination of that application. That appeal has been accepted and the application is now subject to that process.
- 2.8 The second appeal under consideration is 02/01035/OUT. This relates to an outline application which was considered by this committee at the January meeting. It was resolved that a split decision be made with the application part approved and part refused. It was refused in relation to that part of the site outside of the residential zone.
- 2.9 Older applications which relate to the site are as follows:
- 2.10 Application 00/00892/OUT was an outline application for the development of 15 units on the whole of the land associated with Westview (10 of the units were to be affordable housing). This application was refused and an appeal against refusal dismissed.
- 2.11 Application 00/00407/OUT again in outline form for the development of 12 units (of which 4 were to be affordable dwellings) on the whole of the Westview site. Refused with a subsequent appeal (joint with 00/00892 above) dismissed.
- 2.12 Lawful Development Certificate 99/00785/LDC for development ancillary to a dwelling. Certificate issued.

- 2.13 Application OL/0490/98/ROC. This is the outline approval which this reserved matters follows. As indicated it related to the whole of the Westview site and was refused by this Council. On appeal outline permission was granted in relation to that part of the site within the residential zone.
- 2.14 Application OL/0131/95/ROC. Outline application for residential development for four chalet style dwellings on the Westview site. Application withdrawn.
- 2.15 Application F/0043/94/ROC. This was a full application to demolish the existing Westview dwelling and erect seven replacement dwellings on the whole site. This was refused and a subsequent appeal dismissed.
- 2.16 Application F/0788/91/ROC. Addition of side dormers to the existing dwelling, permitted.
- 2.17 Application ROC/0457/61. Outline application for residential development on the Westview site, approved. No more than two additional dwellings were to be constructed on the site (total three).

### **CONSULTATIONS AND REPRESENTATIONS**

- 2.18 **First Round** (These responses relate to the initial submission where eight dwellings were proposed).
- 2.19 Essex County Council **Highway Authority** recommends that the applicant be requested to enter into a Legal Agreement to provide a footway of width 1.8m along the frontage of the site to Church Road. Conditions are also suggested with regard to visibility splays, access junction radii, and the provision of space for parking and turning.
- 2.20 With regard to the internal layout it is noted that it is not clear whether this is to be offered for adoption or not. The specification of the accessway to be followed if it is to be adopted or otherwise are set out.
- 2.21 Essex County Council **Planning Officer** has no strategic comments.
- 2.22 Essex County Council **Design Officer** comments that it is questionable whether the intensification of development here is sustainable. It is set out that the style of the proposed houses do not relate to the character of the surrounding form and a more spacious form should be adopted. The number of dormer windows is seen as excessive and contrary to the advice in the Essex Design Guide as is the use of integral garaging which will be dominant in views. Fenestration appears heavy and disproportionate. With regard to parking it is noted that the arrangements are highly unsatisfactory and dominant. A more satisfactory arrangement is not possible here due to the excessive density proposed. (Please note, as indicated, these comments relate to the initial submission for eight dwellings).

- 2.23 The **Environment Agency** comments about the need to use sustainable drainage systems and to ensure that the water company is consulted. It raises no objections.
- 2.24 **Anglian Water** has no objections in principle but suggests that a condition be added to any approval requiring details of foul and surface water drainage to be submitted and agreed.
- 2.25 **English Nature** comment that the proposals are within an area known to support populations of slowworms. It is indicated that the presence of a protected species is a material consideration and that, if they are known to be present, additional ecological assessments should be carried out.
- 2.26 **Hockley Parish Council** considers that the proposals represent a clear over development and that more than 5 properties are served from a private drive off a dangerous section of road with no footway. There is concern expressed about the loss of mature trees and that the proposals are not in keeping with the street scene. It is considered that lower density development should take place adjacent to the Green Belt.
- 2.27 The **Highways and Buildings Maintenance Manger (Engineers)** comments that there are no public sewers in the vicinity of the proposals and therefore the means of disposal will need to be identified.
- 2.28 In response to consultations 13 occupiers of neighbouring residential properties have objected on the basis of, in the main, the following issues:
- development is out of keeping or character with the existing area, with too great a density;
  - existing traffic problems due to the road width, amount of traffic and current lack of footway will be significantly exacerbated;
  - represents development in the Green Belt;
  - concern how the Green Belt land adjacent to the site will be treated, or of pressure on it for additional development;
  - loss of outlook;
  - overlooking/loss of privacy;
  - insufficient consideration to dealing with surface and foul water drainage, leading to offsite problems (exacerbating those already experienced);
  - impact on wildlife;
  - impact on trees outside the site;
  - insufficient on site vehicle parking;
  - noise;
  - sets precedent/ other more suitable sites available.
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- 2.29 **Second Round** (These responses follow the amendment of the scheme from eight to six dwellings).

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- 2.30 Essex County Council **Highway Authority** raises no objection but suggests that conditions be applied with regard to visibility splays, junction radii and the timing of the provision of the new junction to serve the site.
- 2.31 One additional letter was received from a **neighbouring occupier** in objection on the basis that the proposals would result in:
- loss of privacy, daylight and sunlight;
  - constitute extension of urban sprawl very close to the Green Belt boundary;
  - development out of character with the nature and appearance of the area.

### **Third Round**

- 2.32 **Hockley Parish Council** is concerned at the height of the boundary walls (considered unduly high at 2.5m). Considered that the vehicular access to plots 1 and 2 may lead to problem traffic situations. There was concern with regard to the proposed drainage and uncertainty with regard to the elevations under consideration.
- 2.33 (No further responses have been received in relation to the further revisions to the scheme following the recommended refusal in the previous committee report. Any further that are received will be reported in the addendum paper to the meeting).

### **MATERIAL PLANNING CONSIDERATIONS**

- 2.34 These proposals constitute a reserved matters application. They follow the granting of an outline consent for the development of the land at Westview within the residential zone. As a result the principle of development has been established. As indicated, this permission was granted on appeal. The Inspector who dealt with that appeal attached a number of conditions requiring details to be submitted of the siting, design and external appearance of the buildings, the means of access and the landscaping of the site. Also required were details of the facing and roofing materials, means of enclosure, and parking provision.
- 2.35 Given the existence of the outline permission it is considered that it is appropriate to consider, at this stage, the following issues in relation to these proposals:
- density of development;
  - the impact on the character and appearance of the area;
  - impact on residential amenity;
  - vehicle parking;

### **Density**

- 2.36 Government policy in relation to housing density is set out in PPG3, Housing. Part of the guidance stresses the need to create mixed and inclusive communities, offering a choice of housing and lifestyle. The government does not accept that different types and tenures of housing make bad neighbours.

- 2.37 The government is committed to maximising the re-use of previously developed land and local authorities should avoid the inefficient use of land. In this respect, developments which have a density of less than 30 dwellings per hectare should be avoided and the authority should encourage development of between 30 and 50 dwellings per hectare.
- 2.38 However, the authority should reject poor design. Particular additional advice in relation to design is set out in PPG1, General Policy and Principles. Here we are told that new buildings and their curtilages have a significant impact on the character and quality of an area. The appearance of a proposed development and its relationship to its surroundings are matters of proper public interest. We are also told that poor designs may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings.
- 2.39 Against this background, the Structure Plan has been formulated. In policy CS2 of that plan the need to safeguard and enhance the character of the urban environment is stressed. New development which results in over-development, unsympathetic change and the loss of amenity will not be permitted (policy BE1). Subject to that, land in existing built-up areas should be used in the most efficient way.
- 2.40 Reference has been made above to the two applications that were submitted in 2000 and which related to the development of the whole of the Westview site. At the subsequent appeal into the refusal of those applications the Inspector considered the question of the impact of the development then proposed on the character of the area. That appeal was based on the assessment of two schemes, one for 12 units and the other for 15. On the basis of these schemes, the density of development at the site would have been 25 dwellings per hectare or 31 (approx) dwellings per hectare. This compares with an existing density of development in the area of 2.58 dwellings per hectare.
- 2.41 The Inspector who dealt with those appeals concluded that those densities of development would be acceptable. He also concluded that, despite being in outline form, the layout shown at the time was of a high standard with adequate recognition of the interests of neighbours and future occupiers. He noted the existence of the Hawthorne and Sunnyfield Gardens area and concluded that the density then proposed would not be untypical of infill sites elsewhere. In relation to the scheme with the fewer number of dwellings, he noted that the density was below that encouraged in PPG3, but given the peripheral nature of the location and its character, he considered it would be acceptable.

- 2.42 We are now considering the development of six dwellings on a site of 1870sqm. This represents a density of 32 approx dwellings per hectare. The Inspector who dealt with the recent appeals compared the density propose favourably with the Sunnyfield Gardens and Hawthorne Gardens areas. Plan based density calculations with regard to those areas reveals that densities are in fact toward the lower end of those proposed in the appeal submissions. Nevertheless he (the Inspector) was clear that either of the densities proposed in those appeal submissions were acceptable. Whilst the density now proposed is slightly higher than the densities considered acceptable by the Inspector, in relation to the those recent appeals, it is not considered that it is so far removed that it cannot also be seen as acceptable in principle.

**Character and appearance**

- 2.43 The area is characterised by a mix of styles of development. Despite the views of the Inspector at the recent appeals, it is considered that the character of the application site is defined by the development which is located to the north of the junction of Folly Lane and Church Road. In this area the development comprises some modest and some very significant dwellings, mostly individual and mostly in generous sized plots. To the south of the road junction referred to the development is far more uniform in character, scale, design and the scale of the plots.
- 2.44 The appeal Inspector referred to the clear advice in PPG3 that mixed forms of development are to be encouraged by planning authorities. Now proposed are six plots which are far more limited in size than any others to the north of the Folly Lane, Church Road junction. Given the clear national advice, and the design of the dwellings, referred to below, it is not considered that the clear difference in the scale of the dwellings would have an unduly harmful impact.
- 2.45 In terms of frontage, each pair of semi-detached dwellings proposed, is to have a frontage of approx 16m, not unlike many of the individual dwellings in the area. They are to have heights to the eaves and ridges as set out in the introductory paragraphs above, again, not dissimilar to other existing dwellings in the area. It is considered that the scale of the individual buildings is acceptable.
- 2.46 In design terms, the buildings are to constitute two pairs with the same frontage appearance, and a further pair with different appearance. The identical frontage pairs will be to the Church Road frontage and the first along the access roadway (these pairs are to have differing side and rear elevations). One half of the pair will have a gable fronted projecting first floor element with bay below. The other half will have a two storey bay feature. The roof is hipped to one side, and chimney features are to be provided at both ends. Car port parking at ground level is provided in the centre of the pair, one such space for each dwelling (with additional spaces elsewhere on site – see car parking details below). The design proposed follows many of the pointers set out in the Essex Design Guide and is perfectly acceptable.

- 2.47 The differently designed pair is to be placed at the rear (east) of the plot. Both dwellings will have gable ends, but one is to have a steeper pitch than the other giving differentiation. Otherwise the design will be simple and again be of a form which is acceptable.
- 2.48 Associated with the development of the dwellings will be the road and accessway. This element of the scheme has been subject to revision since the proposals were last reported to Members. Now included in the scheme is a roadway which will form a private drive. This will be sufficient in terms of specification, to serve the four dwellings which are not accessed directly from the Church Road frontage.
- 2.49 Previously it was considered that the access roadway proposed, which was to be to adoptable standard, would have an unacceptable impact on the visual amenity of the area. With the reduction in the specification of the road, this is not now considered to be an issue which should stand in the way of a permission. Whilst 2.5m height walls are proposed to the side of the plots which face toward the undeveloped land to the north, it is considered that these will not have a significant impact over and above that of the dwellings themselves.
- 2.50 The Highway Authority has requested the provision of a frontage footway at this site. It has been considered by this Authority that such a footway would have a detrimental impact on the character of the area. In any event, although it has been requested by the Highway Authority and offered by the applicant, it cannot be insisted upon in this case as this application follows the grant of outline permission at appeal. The provision of a footway was not secured at that stage.

**Residential amenity**

- 2.51 The occupiers primarily affected in this respect are those of the existing dwelling Oakhurst, to the south of the proposed site, and 80 Folly Lane, to the west. The Inspector who dealt with the recent appeal considered this issue. Albeit dealing with a different layout, he indicated that, in his view, it would be possible to design dwellings for the layouts then shown without causing significant loss of amenity. He did not believe that strict adherence to the standards set out in the Essex Design Guide was an overriding consideration given the more recent guidance in PPG3, Housing.
- 2.52 Whilst the point of the Inspector is well made, in that instance he was considering two indicative layouts which showed the distance of the main elevation of the dwellings from the west (with 80 Folly Lane) and south boundaries (with Oakhurst) as 12m and 20m respectively in both cases. Now those distances have reduced to 11.4m and 10.8m, where the proposed dwellings face directly onto the existing. The Design Guide standard is that 15m separation should be achieved. The distance between the dwelling on plot 5 and 80 Folly Lane is 25m approx, the Design Guide standard. There is no similar distance for Oakhurst given that the dwellings that look directly onto that plot are at right angles to the existing dwelling.

- 2.53 In terms of the relationship between the proposed and 80 Folly Lane, it is considered that acceptable amenity is retained. There is an existing substantial tree on this boundary and additional planting can be implemented (and is indeed shown on the submitted drawings) to further offset any intensive overlooking. One of the rear facing windows at first floor is to a bathroom which can be condition to be fitted with obscure glazing.
- 2.54 The relationship to Oakhurst to the south, is assisted by the presence of mature planting within that neighbouring plot. At two locations along the side boundary of the plot are significant existing conifer trees, to the rear is a very large willow and other trees. These will screen some of the potential for overlooking from the proposed development.
- 2.55 Previously, it was considered that there remained sufficient potential for overlooking such that the proposals could be resisted on that basis. With the revised access proposals (the private drive) the dwellings to plots 3 and 4 have now been moved further from the side boundary with the dwelling to the south (Oakhurst) – the distance is now 10.8m rather than 9m. The applicant has also put forward details of a planting scheme that could be implemented to reduce the impact of the remaining potential for overlooking. He points out also that, at present, there is the potential for significant overlooking from a first floor south side dormer window to the existing Westview property, which was granted permission by the Authority. The point is made by the applicant that this did not appear to raise such concern that the proposals which resulted in that were resisted.
- 2.56 Given the arrangement now proposed, it is considered that the potential for overlooking will remain, particularly during the months of the year where the planting does not have its full effect. However, with the implementation of a planting scheme to be secured by condition and the increased size of the plots to allow this, it is considered that the impact is reduced to an acceptable minimum.
- 2.57 In terms of garden sizes, considering the substantive parts of the gardens (that is not included narrow strips to the flank of the dwellings) two of the six are below the Local Plan guide of 100sqm. These are only marginally so however at 96 and 99sqm approx. Taking account of the comments of the Inspector in relation to the adherence of local standards as opposed to the advice in PPG3, it is not considered that these shortfalls are unacceptable.

### **Vehicle Parking**

- 2.58 Plots 1, 2, 5 and 6 are to have two spaces each. Plots 3 and 4 will have a space each and share a further space, average 1.5 spaces per plot. The Inspector who dealt with the recent appeals considered the issue of the accessibility of the (larger Westview) site by non-car modes. He concluded that although accessibility by bus is reasonable (services on High Road) he did not believe that the site was well located in relation to a range of transport opportunities and community facilities. He therefore thought it unlikely that the housing would prove attractive to households which did not have the use of a private car.
- 2.59 The parking standards currently utilised by the Authority indicate that, in areas where accessibility to public transport services is not good, a minimum of 2 spaces per 3-bed property is appropriate. Again, taking account of the comments of the Inspector, it is considered that the above standard should apply. In this case we have a shortfall of one space. However, this is a limited discrepancy and since PPG3 advises that an average of 1.5 spaces is appropriate it is not considered that the shortfall here is unduly harmful.

### **Other Issues**

- 2.60 Wildlife interest: At the time of the outline applications in 2000 some potential interest in relation to protected reptile species was identified on the site. The applicants consultant suggested that this could be adequately protected by conditions on any permission requiring on-site management of the issue. The Inspector who dealt with the appeals also considered this issue and concluded in the same vein. It is concluded then that there is no significant wildlife issue which precludes the development of this site. This is indeed more so now than in relation to the earlier appeal proposals in that other land remains undeveloped within the curtilage of the Westview dwelling which could be used to accommodate any management requirements.
- 2.61 In any event, as this reserved matters application follows the grant of an earlier outline permission, this matter cannot be secured at this stage by additional conditions. If members are mindful to support any permission here however, an informative can be added to any decision notice alerting any potential developer to the requirements of other safeguarding legislation.

### **CONCLUSION**

- 2.62 The principle of residential development on this land is established by virtue of the outline planning permission granted at appeal. Whilst the density of development will have an impact on the character of the area and, it is considered, result in some significant change, government guidance and the comments of the Inspector who dealt with the most recent appeals here indicate that this should not be taken as harmful in itself.

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- 2.63 The design of the dwellings, their scale and size, is quite acceptable. It is also considered that the scheme, as further revised, would not now result in an unreasonable impact on the character and appearance of the area. Whilst it would result in some overlooking and loss of privacy of the neighbour to the south, it is not considered that the result would be unacceptable.
- 2.64 As the Authority is not now in a position to make a determination with regard to this application, the recommendation below represents the suggested decision that the Authority could make if jurisdiction remained with it.

**RECOMMENDATION**

- 2.65 It is recommended that this Committee **RESOLVES** that, if jurisdiction remained with it to make a decision with regard to this application, it would have **GRANTED APPROVAL** subject to the following heads of condition:
- 1 SC20 PD restriction on additional dormers
  - 2 SC23 PD restriction requiring obscure glazing
  - 3 Visibility splays to be provided to the junction of the new access road and Church Road
  - 4 Width and kerb radii of the junction of the new access road and Church Road
  - 5 Provision of pedestrian visibility splays.

**Relevant Development Plan Policies and Proposals:**

Rochford District Local Plan First Review H1, H2, H11, H19, H20, H24, TP15, RC10, PU3

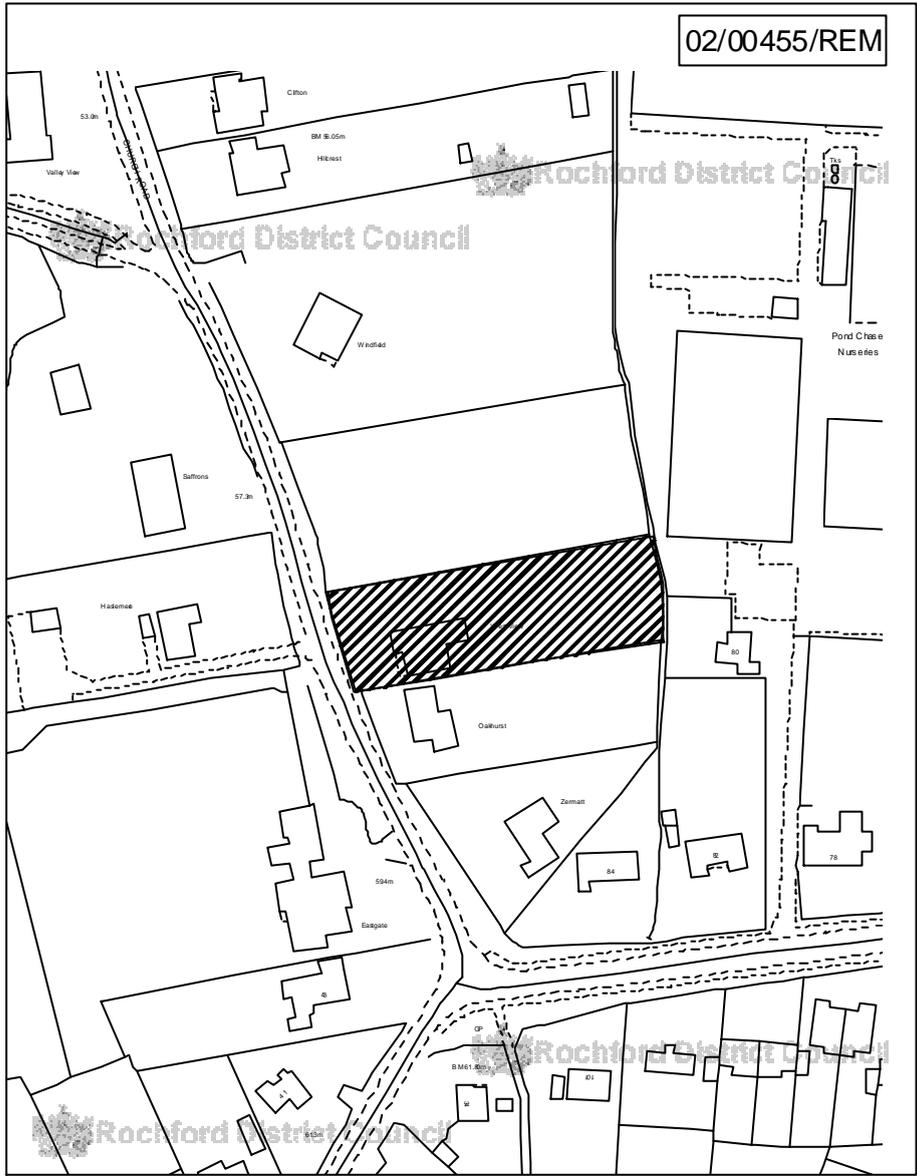
Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, CS4, NR6, BE1, H1, H2, H3, H4, T12



Shaun Scrutton  
Head of Planning Services

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For further information please contact Kevin Steptoe on (01702) 546366.



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**PLANNING SERVICES COMMITTEE - 20 March 2003 Item R3**  
**Referred Item**

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TITLE :                   **02/01148/FUL**  
                              **AMENDMENT TO PERMISSION 01/00678 (POULTRY UNITS**  
                              **AND TEMPORARY RESIDENTIAL USE) TO ALLOW THREE**  
                              **TEMPORARY CARAVAN UNITS IN REVISED ON SITE**  
                              **LOCATION**  
                              **WILDWOOD POULTRY FARM ARTERIAL ROAD RAYLEIGH**

APPLICANT:           **Mr R J CRONIN**

ZONING:               **METROPOLITAN GREEN BELT**

PARISH:               **RAYLEIGH TOWN COUNCIL**

WARD:                 **WHITEHOUSE**

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

This application was included in Weekly List no. 663 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 25<sup>th</sup> February 2003, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr P Whitehouse.

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

3.1 **Rayleigh Town Council** – No objection

NOTES

- 3.2 This application is made following the decision granted at appeal to allow the development of a poultry rearing unit at this site. As part of the permission, the applicant was allowed to station caravans at the site as temporary living accommodation for a period of five years from the date of the permission.
- 3.3 The applicant now seeks to extend the residential accommodation at the site from two caravan units to three.
- 3.4 Essex County Council **Highway Authority** objects to the proposals and recommends they be refused on the basis that they will intensify the use of a substandard access onto the Arterial Road (A127) and be detrimental to highway safety. The Authority indicates that, if this Council is minded to permit the development it should be tied personally to the applicant or granted on a temporary basis only. It indicates that applications for more development or permanent units will be resisted by the Authority.

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- 3.5 The **Head of Housing, Health and Community Care** advises on the potential need for licensing under other legislation.
- 3.6 The Highway Authority set out its position of objection in relation to the principle of the poultry rearing unit at the stage that the application was originally made. Whilst this matter was considered by the Inspector at that time, she considered that access arrangements were acceptable. Given the position that was reached on appeal it is not considered that it would be sustainable to resist the current proposals on the same grounds now.
- 3.7 In relation to the issue of personalisation, this is not considered to be appropriate given that the initial permission was not so controlled. Tying the occupancy with that of the poultry units and ensuring it is temporary is appropriate and conditions are proposed.

APPROVE

- 1 SC4 Time Limits Full – Standard
- 2 No development shall take place until schemes for the provision of surface water drainage works and foul drainage works have been submitted to and approved in writing by the Local Planning Authority. These schemes shall be constructed and completed in accordance with the approved plans before the occupancy of the dwelling and maintained in their approved form.
- 3 No part of the hedgerow on the eastern boundary of the site shall be removed without the prior written approval of the Local Planning Authority, except for trimming to allow the free passage of vehicles or to maintain the height of the hedge to no less than three metres.
- 4 Planning permission for the siting of the temporary dwelling on the land shall expire five years from the date of the permission for the poultry units (i.e. 25<sup>th</sup> October 2008) by which time the dwelling shall have been removed in its entirety from the land forming the agricultural holding, unless the Local Planning Authority give their written consent to an extension of the permitted period.
- 5 Occupation of the temporary dwelling shall be limited to a person solely or mainly working, or last working in the locality in agricultural or in forestry, or a widow or widower of such a person, and to any resident dependants and, shall be occupied only by the operator of the poultry rearing unit on which it is located.

**Relevant Development Plan Policies and Proposals:**

GB1, GB3, PU3, of the Rochford District Council Local Plan First Review

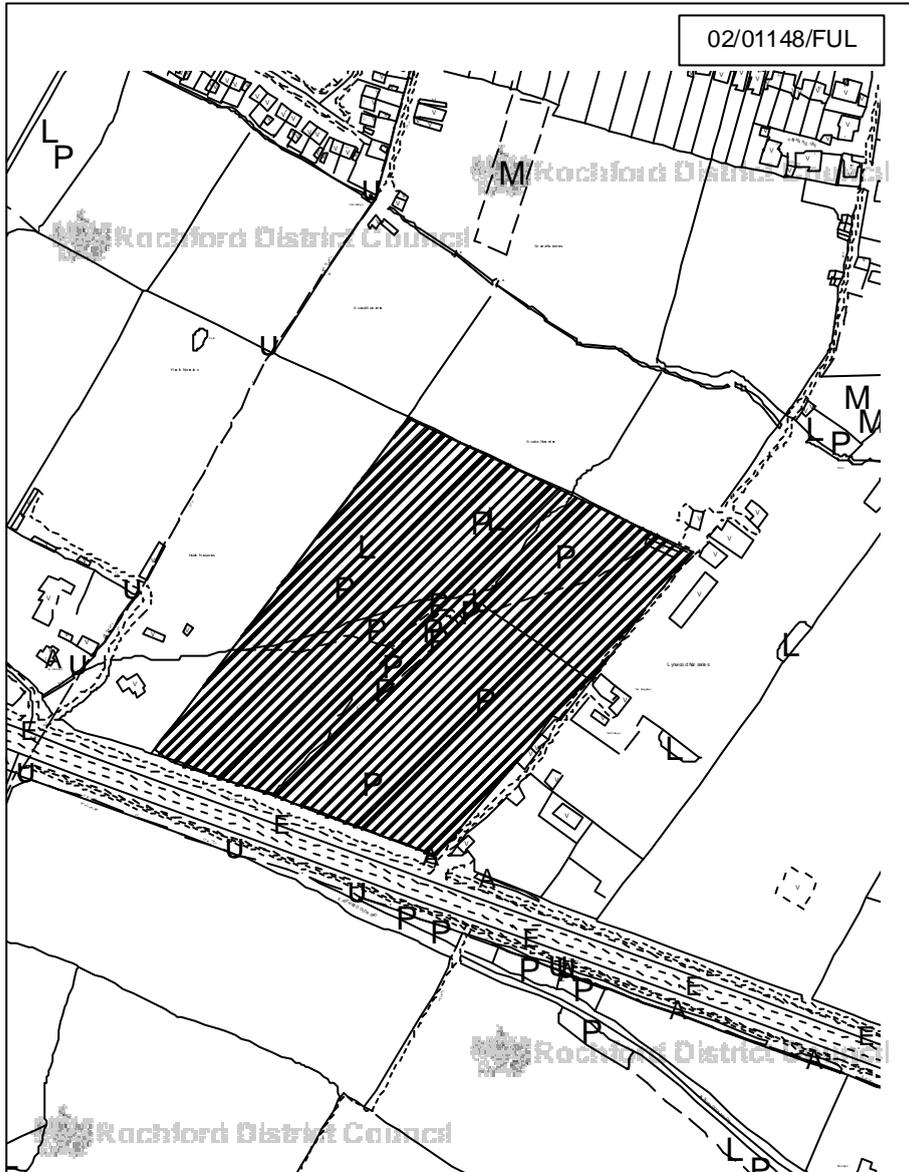
CS2, C2, of the Essex Structure Plan Adopted 2<sup>nd</sup> Alteration

A handwritten signature in black ink, reading "Shaun Scrutton". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Shaun Scrutton  
Head of Planning Services

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For further information please contact Kevin Steptoe on (01702) 546366.



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**TITLE :**                    **02/00551/FUL**  
**CHANGE OF USE OF EXISTING BUILDINGS AND ADDITION**  
**OF NORTHERN EXTENSION TO CREATE BUSINESS**  
**CENTRE**  
**THE YARD, CROUCHMANS LANE, POYNTERS LANE,**  
**GREAT WAKERING**

**APPLICANT :**            **MR D ALFORD**

**ZONING :**                **METROPOLITAN GREEN BELT/ LANDSCAPE**  
**IMPROVEMENT AREA (periphery of)**

**PARISH:**                **GREAT WAKERING PARISH COUNCIL**

**WARD:**                 **FOULNESS AND GREAT WAKERING**

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#### **PLANNING APPLICATION DETAILS**

- 4.1 Members may recall that this application was first reported to the August 2002 meeting of this committee under the fasttrack procedure and subsequently reported back for a decision. The works involve the conversion of the existing buildings to allow business and commercial use.

#### **PURPOSE OF THIS REPORT**

- 4.2 A decision on the application was made following the Planning Services Committee meeting of October 2002. It was resolved that permission be granted subject to the completion of a Legal Agreement and to various conditions. The Legal Agreement was required to ensure the provision of sight visibility splays at the junction of the access track and Poynters Lane. It was understood, at that stage, that the land required was outside of the highway controlled land.
- 4.3 Further investigation of the extent of the highway land reveals now that only a very small part of the land outside of it would be required to enable the sight splays. As a result the Highway Authority has withdrawn its request for a Legal Agreement and has confirmed this in writing.
- 4.4 This report is submitted then to request that Members reconsider the position and the need for the Agreement.

**CONCLUSION**

- 4.5 It is considered that, as a result of the re-consideration of the matter by the Highway Authority and its withdrawal of its previous request for a Legal Agreement, permission can now be granted for this development, subject to all of the previously recommended conditions.

**RECOMMENDATION**

- 4.6 It is recommended that this Committee **RESOLVES** that permission can now be **GRANTED** for this development proposal, subject to all conditions previously recommended and as set out in the committee report to the October 2002 meeting of this Committee and the addendum paper thereto.

**Relevant Development Plan Policies and Proposals**

GB1, GB5, GB10, EB1, EB5, RC8 Rochford District Local Plan First Review

CS1, CS2, CS3, C2, BIW3, BIW6, RE2, T12 Essex and Southend-on-sea Replacement Structure Plan

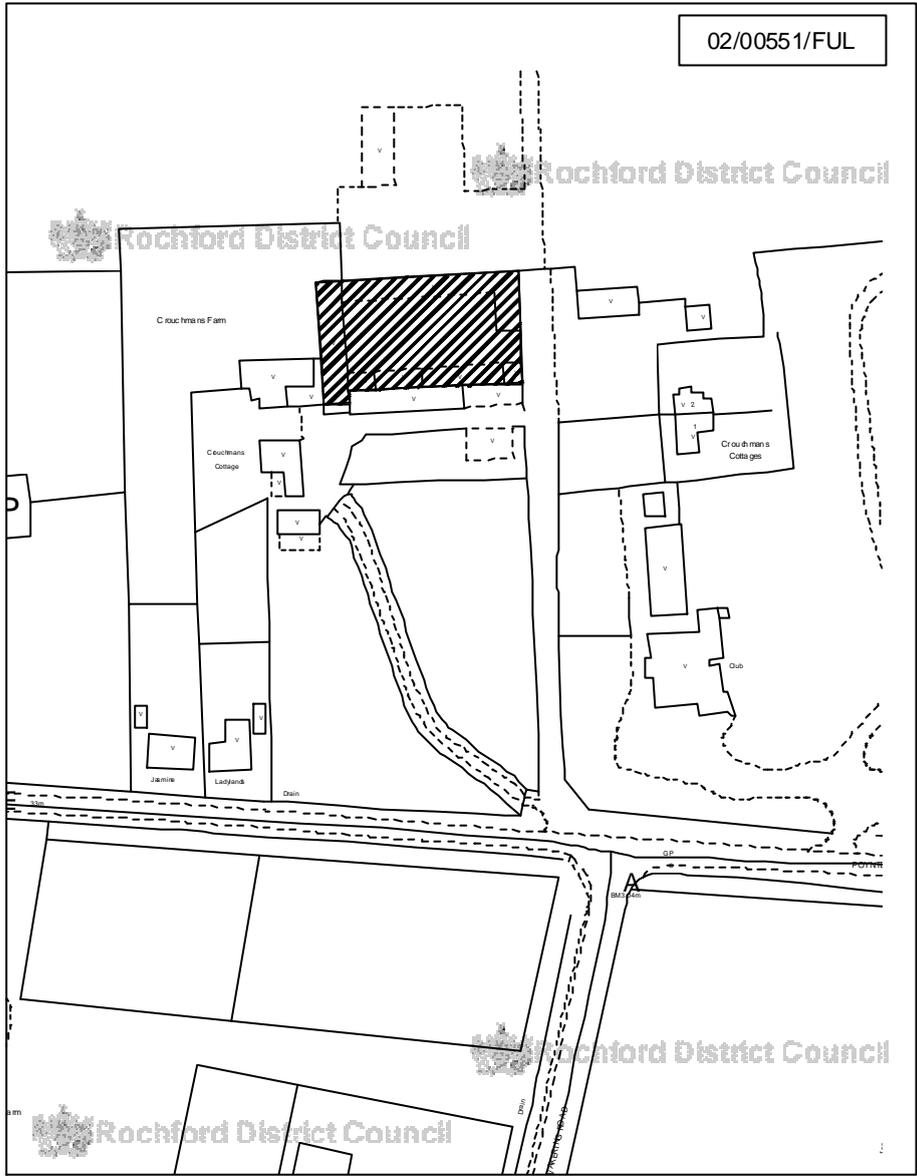


Shaun Scrutton  
Head of Planning Services

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02/00551/FUL



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NTS



**TITLE :**                    **03/00005/FUL**  
**ERECT 3-BED DETACHED BUNGALOW WITH ATTACHED**  
**GARAGE. DEMOLISH AND PROVIDE REPLACEMENT**  
**GARAGE TO 41 HAWTHORNE GARDENS TO CREATE**  
**ACCESS TO NEW BUNGALOW**  
**LAND REAR OF 26 HIGH ROAD AND ADJACENT 41**  
**HAWTHORNE GARDENS, HOCKLEY**

**APPLICANT :**            **F WITHRINGTON AND SONS LTD**

**ZONING :**                **RESIDENTIAL**

**PARISH:**                **HOCKLEY PARISH COUNCIL**

**WARD:**                 **HOCKLEY WEST**

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#### **PLANNING APPLICATION DETAILS**

- 5.1 These proposals represent development largely on land which previously formed part of the curtilage of 26 High Road. Members may recall that permission was granted for the development of two dwellings on that site, placed on the frontage to High Road, in the place of the single bungalow. The remainder of the plot to no 26 was to be subdivided between the two new bungalows.
- 5.2 During the development however, the plot was divided such that the area to the rear was not to constitute part of the garden areas of the two new dwellings. It is on that land which the new bungalow dwelling is now proposed.
- 5.3 To create access to the new dwelling, it is proposed that the existing garage to no 41 Hawthorne Gardens is demolished. An entrance porch to the existing dwelling will be provided. Access will then be created in the location of the existing garage to both the new bungalow and to the new garage to be provided for the existing dwelling. Some of the land which previously formed part of the curtilage of no 26 High Road will be joined to the existing garden of 41 Hawthorne Gardens.
- 5.4 The remainder will form the curtilage of the new bungalow. The dwelling will have a habitable floorspace of 116sqm approx. It is to have an attached garage. The height to the eaves of the property will be 2.4m and to the ridge of 5.3m.

#### **RELEVANT PLANNING HISTORY**

- 5.5 Application 02/00113/FUL related to the development of the 26 High Road plot. Two dwellings were proposed (on land to include this current application site) and permission was granted.

- 5.6 Application 99/00558/OUT proposed the development of one bungalow on the site accessed via High Road. This application was refused on the basis of unsatisfactory access arrangements, garden privacy and fire appliance access.
- 5.7 Application OL/0695/98 outline application to develop two bungalows on the plot to the rear of 26 High Road again with access from High Road. This was refused due to backland nature, noise and disturbance due to the access arrangements and parking.

**CONSULTATIONS AND REPRESENTATIONS**

- 5.8 Essex County Council **Highway Authority** considers the proposals are de-minimis.
- 5.9 **Hockley Parish Council** considers that access is contrived and represents a poor standard of development as there is the requirement to relocate the existing garage. The area is at maximum density and this backland development is totally inappropriate given that it gains access from the current minimal hammerhead turning area. This will be lost if development is allowed to proceed. It is noted that the proposals are the result of the subdivision of the two plots which were originally to constitute the redevelopment of 26 High Road
- 5.10 The **Head of Housing, Health and Community Care** has no adverse comments.
- 5.11 The **Property Maintenance & Highways Manager (Engineers)** comments that drainage may be a problem as there are no public foul or surface water sewers in Hawthorne Gardens. (Comment: the Engineer clarifies that the Hawthorne Gardens area is served by a private system).
- 5.12 18 responses have been received from neighbouring occupiers raising, in the main, the following issues:-
- Backland/ out of character and over-development. Unacceptable change in character and density of area;
  - Difficult to achieve access arrangement;
  - exacerbate existing traffic, parking, congestion, safety and access problems in this area (including those occurring on High Road);
  - poor access for emergency vehicles;
  - drainage and infrastructure supplies inadequate/ existing problems exacerbated;
  - loss of security;
  - disturbance to protected animal species located on this site and in adjacent gardens;
  - inadequate parking provision for the existing and new dwellings;
  - not anticipated as part of the original development of 26 High Road;
  - previous proposals for the development of three dwellings on the site of 26 High Road were resisted;
  - existing access to no 41 Hawthorne Gardens is inadequate;
  - damage and disruption during development;

- existing problems of land drainage in the area revealed during the construction of 37, 39 and 41 Hawthorne Gardens;
- potential unstable ground on the application site due to the infilling of a previous swimming pool;
- disturbance to the residents of existing 41 and 22 Hawthorne Gardens due the possible retention of the foundations of the garage and raft foundation arrangement associated with the dwelling;
- precedent/ similar proposals have been rejected elsewhere;
- noise and vehicle emission pollution, loss of light/ privacy;
- loss of trees
- contrary to appropriate local plan policies;
- plans submitted do not show the full extent of the development now taking place to the High Road frontage;
- development contrary to possible private covenants restricting higher density development

## **MATERIAL PLANNING CONSIDERATIONS**

### **Principle, Character and Density**

- 5.13 This proposed development is located in the residential zone for Hockley, as established in the Local Plan. As such the principle of residential development is acceptable. It is necessary then to confine the consideration of the proposal to the impact of the proposed form of development and to reach a view as to whether that impact is of such harm that the weight that can be attached to it outweighs the established principle of development.
- 5.14 The decision should not revolve around the impact of the development proposals that are now being implemented on the frontage of 26 High Road (although their combined impact can be taken into account). Neither should weight be given to any fears as to what forms of development may come forward in the future either here or elsewhere.
- 5.15 The government has set out in PPG3, Housing, that Local Planning Authorities should strive towards the efficient use of land. It has set out that it sees the reuse and intensification of use of existing developed land as a preference to the development of Greenfield land. This Council, in its Local Plan which predates that national objective, has stated that it supports in principle the intensification of development (policy H19). The consideration of this application must take place against these broad parameters. In PPG3 the government has also set out its view that different forms and densities of development are not considered to be bad neighbours, simply because they are different.
- 5.16 In terms of density, when the plot of the former 26 High Road property is considered, the density of development which now results (with the three new units) is 16 dwellings per hectare. This is well below the governments desired density of 30 per hectare, but is clearly a move much closer toward it than the original density on the site (approx 5 per hectare).

- 5.17 The density of a typical section of the adjoining High Road development is 13 units per hectare. That of the existing Hawthorne Gardens development is around 28 units per hectare. It is not considered that any convincing argument can be put then that the density which will result, if this development is allowed to proceed, will be either uncharacteristic of the general area, or harmful to it.
- 5.18 Whilst the development is located on land which formed part of the original plot to 26 High Road it will be practically imperceptible from the High Road frontage due to the development which is now taking place there. From Hawthorne Gardens the development would be more evident. Currently the existing development of two storey properties 'wraps' around the end of the road with only a significant gap in the development between the frontage of no 18 and the adjacent garage block.
- 5.19 The development will result in the opening up of another gap by the removal of the existing garage to no 41 and the provision in its place of the driveway to serve both that property and the new bungalow. Whilst this will have a visual impact on the current situation, it is not considered that it would in any way have a harmful impact. What remains will be an entirely pleasant modern residential environment.

**Amenity and Inter-relationship Issues**

- 5.20 A single storey property is proposed. The inter-relationship of it to the existing properties is a matter that is considered by policy H20 of the Local Plan and the associated guidance in appendix 1 to the plan. To the north and east are the existing two storey properties of 22 and 41 Hawthorne Gardens. No 22 is a conventional two storey semi detached dwelling with a single storey rear projection and its main windows front and back. There will be views from no 22 toward the new dwelling, but only over the frontage area of it. Frontages of dwellings are normally open to public view.
- 5.21 The closest windows in the single storey dwelling proposed which face onto the side garden of no 22 will be approx 9.5-10m distant. In considering recent appeals, it has been indicated by Inspectors that, because of the government's desire to increase the density of development, the parameters set on in the Essex Design Guide should not be slavishly followed. In the Design Guide it is set out that new dwellings should not have windows set at a distance less than 15m when facing onto existing gardens. However, given that these are at ground floor windows, and given the comments of the previous Inspector referred to, it is not considered that any sustainable argument that loss of amenity occurs could be made. It is not considered that the proposed dwelling has any dominance impact because of the distance of the majority of it from the side boundary with no 22.

- 5.22 The access to the new property will run along the south flank wall of no 22. The garage to the new property will be located such that vehicles run the full length of the garden to no 22 to access it. Whilst this will result in the introduction of some activity and noise in this location it is not considered that the activity associated with one dwelling, and the use of the garage to the second, is a sound basis on which to resist the proposals. There are significant numbers of the examples around the district where new access close to the side boundaries of existing dwellings have been permitted, some serving up to 5 or so new dwellings.
- 5.23 No 41 to the east is also a two storey dwelling. This dwelling would have its garage relocated from its frontage (north side) to the west side, as part of these proposals. The relationship between no 41 and the new dwelling is little different from any conventional residential relationship between two neighbouring dwellings. There will be views from no 41 over part of the private garden of the new dwelling, but this is no different to the situation which currently occurs between no 41 and the neighbour at no 39. Indeed it may be lessened due to the separation created by the new garage.
- 5.24 To the south are the new and existing dwellings on the High Road frontage at 24, site of 26 and 32 (which wraps round the site to the west also). The closest of these dwellings (the new properties on the site of 26 High Road) will be some 25m approx from the rear boundary of the new plot. Whilst these new properties are located on higher ground (raises by some 2-2.5m) it is considered that the separation distance is sufficient to allow adequate privacy to be achieved.
- 5.25 The property at 24 High Road is located to the south east of the site. There may be a small length of common boundary between the properties. The dwelling itself would seem to be some 29m approx from the boundary to the site and some 40m from the closest new building works. Given the separation distances, and the fact that a single storey development is proposed, it is considered that any argument that the development has an unacceptable impact on the amenity, privacy or other interest of the occupiers of this property could not be sustained.
- 5.26 To the south and west is no 32 High Road. The existing dwelling on no 32 is some 25m approx from the new plot and 35m approx from the new building. Likewise to no 24, it is considered that any impact will be safety within the realm of acceptability. To the west are the dwellings on Fountain Lane. No 12 has a common boundary with the plot. The closest dwelling to the plot however appears to be some 29m distant. Again, it is considered that the distances involved ensure that the impact of the proposed dwelling is well within acceptable tolerances.
- 5.27 Considering all the relationships then, it is not considered that the proposed development falls foul of any of the criteria set out in policy H20 or the additional guidance in the Local Plan appendix (access issues are considered below). The scale of the development, being single storey, is considered appropriate and will not be obtrusive. It is not considered that any of the harmful impacts of overlooking or loss of privacy occur, as highlighted in the Local Plan appendix guidance.

**Access and parking**

- 5.28 The new dwelling is proposed to share an existing access to the Hawthorne Gardens roadway. Much concern has been expressed about the existing congestion and poor parking situation on that road. Whilst that situation is acknowledged, it is not uncommon to many of the streets in the district.
- 5.29 This proposal does not seek to open up any new accesses to that road. It seeks instead to share one which already exists. There is no requirement then that additional roadside is lost to parking. The requirement to maintain the accessway free and open to allow the passage of vehicles to this site is that same as it is at present.
- 5.30 Effectively a private drive is being created to serve two dwellings. The existing access to the road of some 2.4m minimum is to be used for this purpose. The Highway Authority have made no comment on the proposals. The specification in the Essex Design Guide for private drives however are that, where they gain access from a road such as Hawthorne Gardens (a type 4-8 road) the private drive shall be 2.4m in width. There are no other specifications for a driveway of this nature.
- 5.31 The dwelling is located within 25m of the adopted carriageway edge and as such there is no additional requirement in terms of bin collection points or access for fire tenders. Three (or more) parking spaces are provided for both the existing (no 41) and the proposed dwelling. This provision adequately meets the appropriate requirements.
- 5.32 Bearing the above in mind and the lack of objection from the Highway Authority, it is difficult to conceive of an objection to the proposals on the basis of road, parking or access issues. Whilst the concern of residents with regard to road congestion and safety issues is acknowledged, it is not considered that this additional development would unacceptably exacerbate those matters where they do occur.

**Other Issues**

- 5.33 Some concern has been raised that current drainage systems are inadequate. Hawthorne Gardens is served by a private drainage system for surface and foul water. Effectively then control over this rests with the existing land owners and occupiers in the area.
- 5.34 The developers propose a soakaway system for surface water, which has been employed with regard to the two new properties to the High Road frontage. No connection to the existing system will be required therefore.
- 5.35 With regard to foul drainage, it is proposed that it will connect to the existing public system in High Road. This will require a pumped system that has already been installed and which will run via the developers frontage plots to the High Road.

- 5.36 A concern has been expressed that protected animal species may be present on the site or nearby. A similar concern was expressed when the proposals for the redevelopment of 26 High Road came forward (which included this site). At that time the Councils Woodlands and Environmental Specialist visited the site and found no sign of such species on the site. Subsequently the site has been cleared. In the absence of any compelling evidence, it would not be acceptable to attach any weight to these claims.
- 5.37 With regard to the raft foundation for the current building at no 41 Hawthorne Gardens the Building Control Officer has confirmed that the laying of a driveway over this, without its removal, could cause problems of vibration within the property. This would only be the case however if the raft foundation under the garage remains in situ and it was constructed as one single element with the foundations to the house.
- 5.38 To overcome this if it is a problem, the developer proposes to cut the foundation so that the part which was placed for the garage becomes detached from the remainder (if it was one piece) and is removed. The Building Control Officer comments that this may need to be the subject of further investigation, as the cutting process may have implications for the remainder of the foundation. In any event however, the treatment of the foundation would be a matter of consideration and decision at the Building Control stage.

### **CONCLUSION**

- 5.39 This proposal represents a form of development which is located in an area where residential development is acceptable in principle. It meets with the aims of the government and of this Council to intensify development in the existing residential areas.
- 5.40 Whilst legitimate concerns have been expressed with regard to the impact of the proposals, it is not considered that any significant weight can be attached to these, and certainly none so significant that the principle of development is outweighed.

### **RECOMMENDATION**

- 5.41 It is proposed that this Committee **RESOLVES** to grant **APPROVAL** to this application subject to the following heads of condition:
- 1 SC4 Time Limits (standard)
  - 2 SC14 Materials to be used (external)
  - 3 SC17 Restriction to permitted development – extensions
  - 4 SC18 Restriction to permitted development – outbuildings
  - 5 SC20 Restriction to permitted development – dormers
  - 6 SC23 Restriction to permitted development – obscure glazing
  - 7 Location of new proposed garage to allow sufficient room to park in front without blocking access to bungalow

- 8 SC76 Parking and Turning space
- 9 SC84 Slab Levels

**Relevant Development Plan Policies and Proposals**

Rochford District Local Plan First Review: H1, H2, H11, H19, H20, H24, TP15, PU2, PU3

Essex and Southend-on-sea Replacement Structure Plan: CS1, CS2, CS4, BE1, H2, H3, T12



Shaun Scrutton  
Head of Planning Services

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For further information please contact Kevin Steptoe on (01702) 546366.



## PLANNING SERVICES COMMITTEE - 20 March 2003 Item 6

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TITLE : 03/00036/FUL  
CHANGE OF USE OF 2NO. SHOPS TO 2NO. BEDSIT  
DWELLINGS, TOGETHER WITH RENDERING TO ENTIRE  
EXTERIOR OF BLOCK  
162-184 ROCHFORD GARDEN WAY

APPLICANT : ROCHFORD DISTRICT COUNCIL

ZONING : RESIDENTIAL

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD

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### PLANNING APPLICATION DETAILS

- 6.1 The application relates to a block of flats in the Council's ownership.
- 6.2 The application relates to the change of use of two shops to bedsit dwellings, together with the rendering of the exterior of the building.

### RELEVANT PLANNING HISTORY

- 6.3 None

### CONSULTATIONS AND REPRESENTATIONS

- 6.4 **Rochford Parish Council** - no objections
- 6.5 **County Council (Highways)** - *de minimis*
- 6.6 **Head of Housing Health & Community Care** - raises concern that the works could result in noise, smoke, smell, etc., and considers that a condition should be applied to restrict the hours that works can take place.

### MATERIAL PLANNING CONSIDERATIONS

- 6.7 The existing block of flats is of drab and uninviting appearance. The concrete window surrounds have spalled, due to water penetration and straining covers much of the brickwork. Moreover, the ground floor of the block, and particularly a covered alleyway which runs through it, has been subject to vandalism and graffiti.
- 6.8 The two shops have been vacant for some considerable time. These are situated either side of the alley. Given the vandalism that has occurred, their vacancy is unsurprising.

## PLANNING SERVICES COMMITTEE - 20 March 2003 Item 6

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- 6.9 The current application proposes the change of use of the two shop units to one bed dwellings, and the addition of render to the exterior of the building. Other works such as the repair of window surrounds are also proposed. Railings are proposed to the front of the building. To the rear, the former yard areas of the shops are to be enclosed by brick walls, and will form the gardens of the two new dwellings.
- 6.10 No additional parking spaces can be provided to serve the new dwellings. The flats' occupants currently park in a parking area to the front of the flats. However, it is considered that the parking demand resulting from 2no. one bed dwellings would be less than that from two shops (considering staff and shoppers), and therefore the parking situation should be no worse than could exist if the shops were in operation.
- 6.11 Whilst the loss of any local shops is unfortunate, given the long term vacancy of these units, their loss is considered justified.

### CONCLUSION

- 6.12 The application proposes a package of improvements that will significantly enhance a block of flats, to the benefit both of its occupiers and those living in the surrounding area.

### RECOMMENDATION

- 6.13 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:
- 1 SC4 Time Limits
  - 2 SC59 Landscape Design
  - 3 Prior to the commencement of the development, details of the colour(s) of the proposed render and a sample of the brick to be used to construct the proposed garden wall shall be submitted to and approved in writing by the Local Planning Authority and application shall, thereafter, be carried out in accordance with the approved details.

### Relevant Development Plan Policies and Proposals:

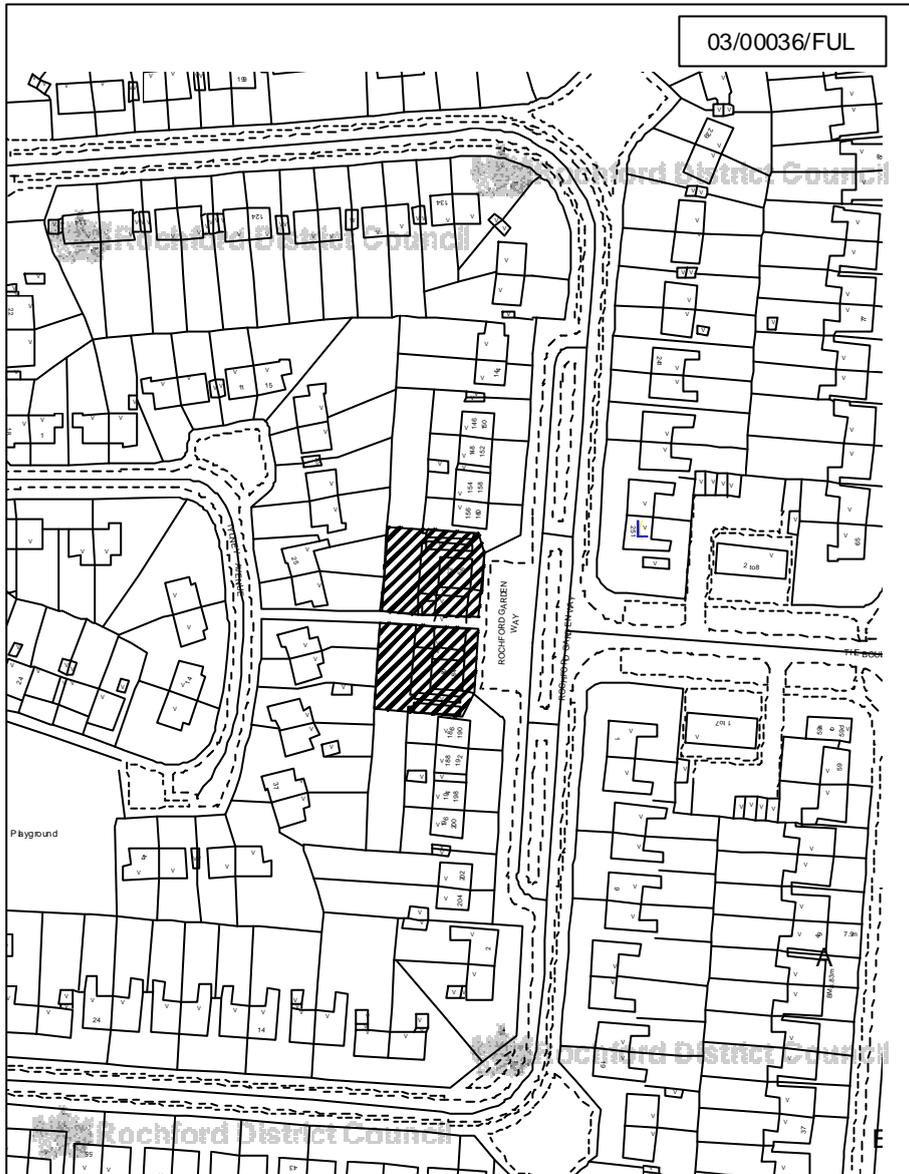
H11, H16 Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

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For further information please contact Peter Whitehead on (01702) 546366.



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NTS



**TITLE :**                    **03/00041/GD**  
**INSTALL UNDERFLOOR HONEYCOMB SUPPORT WALLS**  
**41 COURT END, FOULNESS ISLAND**

**APPLICANT :**            **AMEY**

**ZONING :**                **RURAL LAND OUTSIDE METROPOLITAN GREEN BELT**

**PARISH:**                **BARLING MAGNA PARISH COUNCIL**

**WARD:**                  **FOULNESS AND GREAT WAKERING**

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### **PLANNING APPLICATION DETAILS**

- 7.1 This is a Government Department consultation. Had this not been the case ordinarily such an application would fall within the scheme of delegation to the Head of Planning Services.
- 7.2 The application is for Listed Building Consent to install underfloor honeycomb support walls. The works involve installing honeycomb sleeper walls internally into 3 rooms of the cottage this is to give stability and support to the ground floor walls. The walls are called honeycomb as they have holes to allow for ventilation. The walls are to be installed in the bedroom, lounge and dining room. The works involve removing all existing joists, and the repair of any loose bricks and mortar joints. New timber floor joists are to be fitted and the original floorboards and carpets are to be relayed.

### **RELEVANT PLANNING HISTORY**

- 7.3 There is no relevant planning history.

### **CONSULTATIONS AND REPRESENTATIONS**

- 7.4 **Essex County Council (highways)** – de – minimus
- 7.5 **Essex County Council ( Historic buildings and Conservation Advice)** – states that the proposed works would be unlikely to have an adverse effect on the character or appearance of the building.
- 7.6 **Essex County Council (Specialist Archaeological Advice)** – states that the development is unlikely to cause damage to any surviving archaeological deposits.
- 7.7 **Environment Agency** – has no objection

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**MATERIAL PLANNING CONSIDERATIONS**

- 7.8 Policy UC7 of the Rochford District Local Plan, First Review, April 1995, is relevant to this application. This policy states that “alterations and additions to a Listed Building will not be permitted if they adversely affect important architectural or historic features, both internal and external ...” The proposed works are internal thus they will not have any detrimental impact on neighbouring properties or the external character of the building. Additionally, the internal character of the Listed Building is unlikely to be affected as the original floorboards are to be relayed.

**CONCLUSION**

- 7.9 Given the extent of the proposed works and the fact that the proposal is for internal works it is unlikely that they will adversely affect any architecturally important features or neighbouring properties.

**RECOMMENDATION**

- 7.10 It is proposed that this Committee **RESOLVES** to **RAISE NO OBJECTION** to this application.

- 1 SC4A – time limits – Listed Building

**Relevant Development Plan Policies and Proposals:**

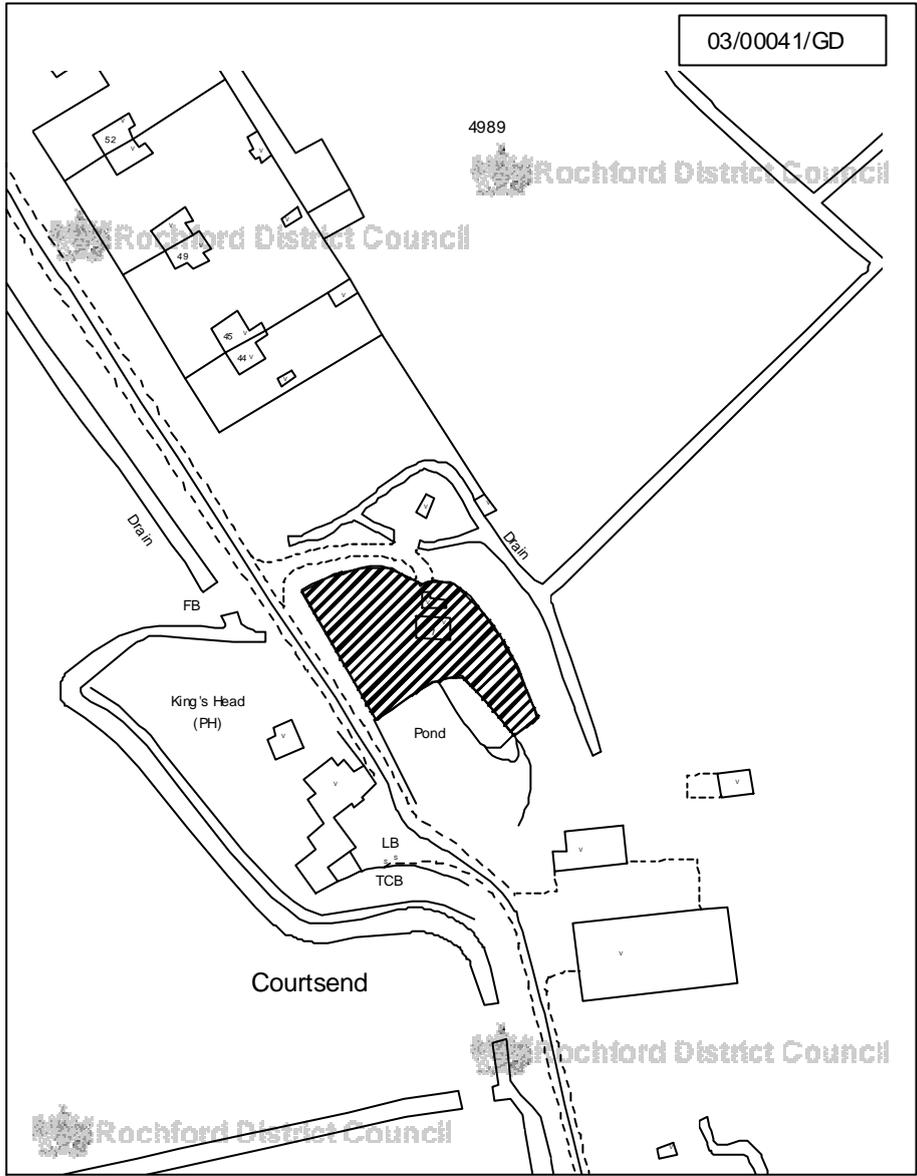
UC7 of the Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

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For further information please contact Lorna Maclean on (01702) 546366.



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## PLANNING SERVICES COMMITTEE - 20<sup>th</sup> March 2003 Item 8

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**TITLE :** 02/01114/FUL  
**REPROVISION OF MENTAL HEALTH SERVICES  
COMPRISING ERECTION OF SINGLE AND TWO STOREY  
BUILDINGS, EXTENSION/COMVERSION OF EXISTING  
BUILDINGS, TOGETHER WITH CAR PARKING AND  
ASSOCIATED FACILITIES  
ROCHFORD HOSPITAL UNION LANE ROCHFORD**

**APPLICANT :** SOUTH ESSEX PARTNERSHIP NHS TRUST

**ZONING :** HOSPITAL

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD

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### PLANNING APPLICATION DETAILS

- 8.1 The application proposes the redevelopment of Rochford Hospital to provide:
- An Assessment Suite (6 beds)
  - Adult inpatients with acute mental health needs (81 beds)
  - Adult inpatients with rehabilitation needs (15 beds)
  - Older people inpatients with organic mental health needs (24 beds)
  - Older people inpatients with functional mental health assessment needs (24 beds)
  - A range of administrative, kitchen and supply facilities, pharmacy, etc.
- 8.2 The application should be read in conjunction with application ref. 02/0115/CON, proposing the demolition of an existing U-shaped complex of two storey buildings called the Administration Block and part of Gowing House, both situated to the North of West Street and within the Rochford Conservation Area. Consent to demolish several other hospital buildings within the conservation area has been granted in the past year.
- 8.3 The redevelopment also involves the demolition of the Henry Hayes Centre, Southchurch Ward, Rayleigh Ward, together with associated boiler rooms, etc., which lie outwith the conservation area, and for which consent to demolish is not required.
- 8.4 The replacement buildings comprise a substantial crescent-shaped building to be situated to the North-West of the site, between Ashingdon Road, Heritage Way and St Lukes Place, Dalys Road. The building is largely two storey. The building will link with the existing Ashingdon Ward and Wallasea Centre. To the centre of this crescent, a circular area of car parking is proposed.

- 8.5 A single storey building is proposed towards the centre the site, on land that is currently open.
- 8.6 A car park accommodating 126 spaces is proposed to the South-East of the site, on land freed up by the demolition of the Administration Block.
- 8.7 The proposals also involve the extension of the Rochford Clinic building, together with other more minor extensions and alterations to existing buildings, and areas of new car parking.
- 8.8 A further application has been made for listed building consent (ref. 02/01116/LBC) for the conversion of the existing chapel to a staff dining room, and for the provision of a link to the neighbouring Rochford building.
- 8.9 The application is accompanied by a Planning Statement that sets out what the proposals seek to achieve.
- 8.10 The Statement notes that during the 1990s, the hospital's acute services, with the exception of acute mental health inpatient services, were transferred to Southend Hospital. Part of the site was sold and developed with housing. The poor state of remaining buildings resulted in the temporary relocation of the acute mental health inpatient services to Runwell Hospital.
- 8.11 The existing Runwell Hospital is planned to close as part of the modernisation of mental health services. In the future, the majority of mental health services will be provided by specialist nurses and therapists working in the community. Fewer patients will require admission to hospital.
- 8.12 In the past, the mental health services provided at Rochford included a range of day services, outpatient departments and other therapeutic activities. These currently include a drug and alcohol service.
- 8.13 The current proposals involve the relocation of the day hospital services, outpatient services and drug/alcohol services from Rochford to dedicated services in Southend. Rochford Hospital will then be used exclusively for inpatient care. As a consequence, the numbers of people visiting the site will reduce to staff, patients requiring an admission and visitors.
- 8.14 Secure mental health facilities for patients requiring medium and low secure care will be redeveloped and will remain permanently at the Runwell site.

This application was reported to the meeting of the Planning Services Committee on 21<sup>st</sup> January 2003, under the Council's 'fast-track' scheme for proposals likely to result in the generation of 10+ jobs. Members raised a number of issues they wished Officers to have regard to in considering the application. A full discussion of all of these and all other planning considerations appears below.

**RELEVANT PLANNING HISTORY**

- 8.15 The site has been in use as a hospital since the early 20<sup>th</sup> Century.
- 8.16 Parts of the site were redeveloped for housing during the 1990s, and now comprise the Heritage Way and Pollards Close developments. Other buildings, considered redundant by the hospital have been adapted and re-used for other purposes, e.g. St Lukes Place provides flatted accommodation for elderly persons, and the Boilerhouse has also been converted into flats.
- 8.17 In the last few years, a number of other buildings considered redundant by the hospital have been demolished, largely to make way for the redevelopment scheme now tabled.

**CONSULTATIONS AND REPRESENTATIONS**

- 8.18 **Rochford Parish Council** - the Parish Council support the development but would ask the District Council to take into consideration that part of the site falls within the Conservation Area and ensure that the development is in accordance with this.
- 8.19 **Essex County Council (Highways)** - recommends a number of conditions to be imposed on any permission granted. These relate to the improvement of the pavement in Union Lane, the provision of secure cycle parking, the provision of barriers to prevent the misuse of staff parking areas and the approval and implementation of a Travel Plan to reduce car use and promote alternative means of transport. Highways have also commented upon several other issues raised in relation to the application, viz:
- 8.20 "An access from Union Lane to the Supermarket Site – The Highway Authority would object to any increase in use of the junction of Union Lane, West Street and Bradleys Way, as this junction is already heavily congested at peak times, any additional traffic movements at this junction could seriously disrupt the traffic movements in Rochford Town Centre. Though beneficial the new entrance to Back Lane Car park would not significantly reduce the traffic flows at this junction. The relief road for Rochford and Southend mentioned is not something that is under consideration as far as the Highway Authority is concerned. If the Planning Authority considers that a traffic survey is necessary then any potential developers should be asked to undertake this but it is not something that this Authority can fund.
- 8.21 **Parking** - The number of parking spaces provided within the hospital site has been agreed in line with Government guidance in PPG13. This is a town centre site, within walking distance of the railway station and bus stops. The Hospital have put together a travel plan which is currently being discussed with The County Council's Travel Co-ordinator. Cycle parking with changing facilities for staff are to be provided, a car sharing scheme is also being promoted.
- 8.22 **Access for the public** - The Public Rights of Way in the Rochford District are currently being reviewed and no application has been made for a public right of way to be considered in this location."

- 8.23 **Essex County Council (Senior Historic Buildings Advisor)** - the link between the chapel and clinic requires further consideration to ensure that the integrity of the listed building (the chapel) is not harmed. I have no objections to the proposed alterations to Gowing House. The new single-storey building are rather lacking in character, and look somewhat regimented, because of the lack of interesting features and the uniformity of the fenestration. The symmetric style of the windows is alien to the more traditional character of the conservation area. The units would be much improved if their external appearance related more to the existing similar ranges. These employ a variety of vernacular and modern materials and use features like projecting bays and overhanging eaves to good effect. The use of colours (now faded) is a notable feature. I do not advocate a copy of the existing buildings, but their informality and visual interest should be emulated. There is a long way to go before this proposal would be acceptable.
- 8.24 **Head of Housing Health and Community Care** - there is potential for increased levels of noise and disturbance during the construction phase that may affect the amenity of nearby residents. Development of surrounding land has increased the numbers of residents who might be adversely affected. There are a limited number of entrances to the site, and access by heavy plant or equipment may result in unacceptable levels of disturbance. There is also potential for noise disturbance around delivery and parking areas. It is suggested that the developers be asked to submit a scheme of noise attenuation measures and agree to an hours restriction during the construction phase of the development. A number of conditions/informatives are recommended relating to approval of mechanical extract, ventilation systems and any other external equipment, approval of noise attenuation measures, hours restrictions placed upon delivery times of commercial vehicles, an assessment of any contamination of the site and a scheme to remedy any contamination found, SI16 (Control of Nuisances) and a request that the applicant contacts the HHH&CC to discuss current food hygiene legislation.
- 8.25 **Anglian Water** - no objections, subject to conditions requiring the approval of all foul and surface water drains, and no building being erected within 3 metres of a public sewer.
- 8.26 **Environment Agency** - advises that the site lies within 250m of a former waste disposal site and considers that there is the possibility of landfill gas migrating from the landfill site into the strata below the proposed development. The Agency notes that should the developer consider the risk sufficient enough to warrant further investigation, a suitable qualified and experienced consultant should be engaged to investigate and assess the site. In the absence of such an investigation, the Agency considers that the buildings and services should be designed and constructed with due regard to the possible presence of landfill gas.
- 8.27 **Essex Police Crime Reduction Officer** - raises no objections, but makes a number of comments. The Officer notes that the main crime and disorder issues that this development might face once finished are:-
- a) nuisance gangs/vandalism

- b) vehicle crimes in the carparks
- c) theft of staff belongings
- d) burglary of office/hospital equipment

8.28 His recommendations are broadly as follows:

- the perimeter needs to be fenced, preferably with 1.8m high palisade fencing. For aesthetic purposes, this should be dressed with a green powder coat.
- Access barriers should be installed across both access roads
- The car park by the tug garage is very hidden and vulnerable to vehicle crime. Would it be possible to rearrange this to provide better natural surveillance?
- The main staff car park - due to the presence of trees abutting the car park coupled with the isolated nature of the area, cars here could be at risk from vandals/criminals. A secure fence should be erected. Good lighting should be installed. Bushes within the car park should remain low.
- A professional lighting company should be employed to consider the lighting of the site as a whole, as there are numerous vulnerable areas and dark corners for crime and disorder to occur.
- Lockers should be provided for staff belongings to reduce staff thefts

8.29 **Rochford Chamber of Trade and Commerce** - objects to the proposals for the following broad reasons:

- The site, and the scale of it, is so large that it should be considered together with the Essex CC and Wimpey site in a comprehensive Development Brief to which the whole of the community of Rochford should have an input. The application should be deferred for at least 6 months to allow time for joined-up planning issues
- The Chamber has regularly promoted the need for one-way access/exit to the proposed supermarket site. Without this the only access to the supermarket site will be from North Street, thus rendering the site less appealing to potential investors in a supermarket development. There are currently proposals to pursue the possibility of creating an entrance to Back Lane car park through Locks Hill and a strategic relief road for Rochford and Southend. Either of these schemes would reduce traffic flows at the junction of Union Lane/West Street where they join Bradley Way. An independent traffic survey should be commissioned to explore the long term effects of the use of Union Lane as a one-way exit from the supermarket site
- Doubts that the staff car parks are sufficient
- For many years, the public has passed through the site on foot or by bicycle. It is probable that public footpath rights have been created. The proposed application would extinguish this right.
- The Chamber acknowledges the beneficial effects of the permanent establishment of a facility of this size in the centre of Rochford to trade and retailing. Whether this site close to the railway and main road is the most suitable 'quiet' location is one for mental health practitioners. The District Council should satisfy itself that the proposed development will not be detrimental to the fragile social balance within Rochford Town Centre.

- 8.30 In the light of the above objections, the Chamber proposes that the District Council should require the following:
- A Comprehensive Development Brief
  - A medium-term traffic study
  - An Environmental Impact Assessment to link with the traffic study
- 8.31 **Local Plans** - the continuing use of the site would be concordant with its Local Plan designation. There are no relevant policies within the Local Plan that bear directly on the current application. Policy PU5 relates to the northern part of the site (now developed for housing purposes).
- 8.32 Three letters have been received from local residents objecting to the proposals, on the following broad grounds:
- The NHS Trust lack of consultation and detailed information on its proposals
  - Concerns of residents are not being properly addressed
  - Concern that the redevelopment is solely intended for people with mental health problems
  - Can the safety of residents be guaranteed?
  - The proposals will not be of any benefit to the local community
  - Use of the access off Ashingdon Road will result in fumes and tailbacks
  - Will there be enough parking for workers and visitors?
- 8.33 One letter has been received in support of the proposals.

### **MATERIAL PLANNING CONSIDERATIONS**

- 8.34 When the application was presented to Committee in January, Officers outlined that the main issues likely to have a bearing upon the proposal were as follows:
- The design of the new buildings, paying particularly close attention to the redevelopment of the portion of the site lying within the conservation area
  - The impact of the proposals upon residential properties abutting the site, in terms of overlooking, the physical impact of the scale of the buildings, potential noise from car parking, etc.
  - Consideration of the uses proposed, having regard to the Local Plan allocation of the site, the uses of the site (both existing and historical) and the uses to which the existing buildings could be put without the requirement of further planning permission
  - Traffic implications arising from the proposed car parks, the largest of which is proposed to be accessed off Union Lane
  - Issues relating to crime reduction
  - Drainage and other infrastructure implications
- 8.35 Members resolved that, in addition to the above issues raised in the report, the following matters be further explored:—

- Assessment of adequate car parking;
- Examination of entrances and exits to the site;
- Consideration of a one-way system through the site for traffic;
- Relationship to surrounding properties;
- New buildings to be of good quality, particularly given part of site lies within the Rochford conservation area. New buildings need to sit comfortably with existing buildings;
  - Link to Chapel (listed building) to be of good design quality.

8.36 **Design**

The design of the buildings is a particularly sensitive issue, given that part of the site lies within the Rochford conservation area and that part of the scheme (albeit a small part) involves the creation of a link to a listed chapel.

8.37 Particular concern has been raised by the County Planner's Senior Historic Buildings Advisor with regard to the proposed window design. The windows employed are of asymmetrical design, with a narrow opening light to one side. These contrast with existing buildings in the hospital complex, which have traditional sliding sashes or casements. The applicants have responded that the particular design of windows has been chosen following consideration of the operation of the windows, patient safety and security, and is driven by function and practicality without losing sight of stylistic requirements. While this may be so, it remains the case that the proposed windows vie with those of other buildings in the complex, and are certainly not a traditional or vernacular design of windows readily appropriate in the conservation area.

8.38 At the time of writing this report, Officers are in discussion with the applicants on this issue, together with other issues of design (including the design of the link to the listed chapel building). It is hoped that these matters can be resolved prior to the Committee. Should any matters remain outstanding, it is recommended that approval of the application be delegated to the Head of Planning Services, subject to successful resolution of any minor outstanding design issues.

8.39 **Impact upon Neighbours**

The application involves the erection of new buildings and extensions to existing buildings throughout the site. Many of these are single storey buildings situated well away from the boundaries of the site, e.g. the proposed Assessment Unit, proposed supplies store to adjoin the Roche building and the extension to Gowing House.

8.40 It is not considered that the erection of these buildings/extensions will have a demonstrable effect upon residents whose properties abut the site. Indeed, a number of the proposed buildings/extensions will barely be visible from outside the site.

8.41 The most substantial new building is proposed to the north-west of the site. This comprises a two-storey crescent shaped building with single and two storey wings. It will link with the existing Ashingdon Ward and Wallsea Centre buildings.

- 8.42 This building backs onto St Lukes Place, a two storey building accommodating elderly persons' flats, together with houses in Heritage Way.
- 8.43 In terms of separation, the rear elevation of the main crescent-shaped building will be some 45m from the nearest dwelling in Heritage Way. The two storey wing will be 30m from St Lukes Place. (It is also noted that windows in this wing do not face towards St Lukes Place and windows). The main building also accommodates two balcony areas to the rear. These will be approximately 40m from the nearest part of St Lukes Place.
- 8.44 For comparison, the minimum back-to-back distance normally applied to houses is 25m. All parts of the building comfortably meet this standard, and it is not considered that the proposed building will be overbearing, or result in overlooking problems.
- 8.45 In terms of noise and disturbance arising from the use of the car parks, and from delivery vehicles, attention is drawn to the views of the Head of Housing Health and Community Care set out above.
- 8.46 The bulk of the car parking (137 spaces) is proposed to the east of the site, on land freed up by the demolition of the existing Administration Block. The following points are pertinent:
1. The car park will be for staff only and will not, therefore, generate the number of vehicle movements likely to be associated with a short stay car park
  2. Properties in West Street, which backs onto the proposed car parking area, generally benefit from long rear gardens (30m approx), and the dwellings themselves will, therefore, be remote from the car parking area.
  3. In addition to this a landscaped buffer strip varying in width from 10-18m is proposed between the car parking spaces and the site boundary.
  4. The rear boundaries of most gardens are bounded by brick walls.
  5. The closest properties to the car park will be the backland-sited terrace of three dwellings known as Clements Mews. However, the landscaped buffer strip is at its broadest here; some 18m.
- 8.47 Having regard to these factors, the relationship is considered acceptable.
- 8.48 A second area of car parking is proposed to the north-west of the site, on land freed up by the demolition of a former rehabilitation building. The car park lies immediately to the south of a car park serving Johnson Court, and adjacent to the flank of 49 Pollards Close. It will be partly enclosed by fences, and by a building used to house the hospitals' electric tugs. (electric-powered vehicles). It will accommodate 17 spaces, again to serve staff only. Given these points, and the level of activity likely to arise, this arrangement is considered acceptable.
- 8.49 Visitor parking (43 spaces) is proposed in the open circular area fronting the new crescent-shaped building. Ambulance drop-off points are also proposed to the front of this building. These areas will be accessed via the Ashingdon Road entrance. This part of the site is relatively remote from private residential properties, and these arrangements are considered acceptable.

- 8.50 Delivery vehicles will use the Union Lane entrance. From here, they will be routed through the site to the proposed store building. This is relatively remote from existing residential properties, but does abut the Bungalow and proposed supermarket sites. Given that the adjoining site is allocated for residential development - and indeed, there is an extant permission for residential development on part of the land, a condition restricting the hours of deliveries (as recommended by the Head of Housing Health & Community Care) is considered prudent.
- 8.51 Ambulance access is shown to be via the Ashingdon Road entrance, although it must be accepted that ambulances may also use the Union Lane entrance, particularly to reach the Assessment Unit. Clearly a condition limiting ambulance access would be unreasonable.
- 8.52 **Proposed Uses**  
The site is annotated as a Hospital in the Local Plan, and the site has been so used for approximately a hundred years. Mental health services have long been provided at Rochford including a range of day services, outpatient departments and other therapeutic activities. It should be noted that planning permission would not be required to use the existing buildings for the uses now proposed.
- 8.53 It is considered that the proposed uses are consistent with the site's Local Plan allocation, and previous use.
- 8.54 **Parking and Traffic**  
The number of proposed parking spaces on the site totals 154 spaces for staff, plus 43 spaces for visitors. This contrasts with the 157 spaces (approx.) currently available. As the highway authority notes, the number of parking spaces has been arrived at having regard to the government's up-to-date planning guidance on highway matters (PPG13). This espouses the government's objective to reduce car use and promote alternative means of transport. In this case, the site lies in a town centre location and is readily accessible by foot, cycle, bus and train. The highway authority has also been in discussion with the applicants regarding the formulation of a green Travel Plan, and recommends a condition requiring the approval and implementation of such.
- 8.55 With regard to the issue of providing a route through the site to serve the proposed supermarket site, whilst certain benefits of such an arrangement are understood, it is noted that the highway authority would object to any increase in use of the junction of Union Lane, West Street and Bradleys Way, considering that any additional traffic movements at this junction could seriously disrupt the traffic movements in Rochford Town Centre.

**Crime Reduction**

8.56 **The Police's Crime Reduction Officer** raises no objections to the scheme, but has nevertheless raised a number of detailed concerns regarding the safety of persons using the site, and the security of cars and other belongings. At the time of writing this report, Officers are in discussion with the applicants on this issue. It is considered that the issues raised can be dealt with by planning conditions, or by management decisions by the Health Trust. Members will be updated on this issue at the Committee.

8.57 **Drainage Implications**

Neither Anglian Water nor the Environment Agency raise an objection to the proposals.

**CONCLUSION**

8.58 The application proposes the redevelopment of Rochford Hospital, to provide exclusively in-patient mental health services.

8.59 The scheme involves the demolition of a number of buildings that cannot feasibly or viably be remodelled to bring them up to today's standards.

8.60 The bulk of the new building work is to take place in the north-west corner of the site, comprising a two storey crescent-shaped building. Whilst the building is of substantial mass, the distance to the nearest residential properties in Heritage Way and St Lukes Place complies with the Council's normal standards. Moreover, the building will replace existing buildings of not dissimilar mass and siting. A number of more modest buildings are proposed, having a lesser impact on residents outwith the site.

8.61 Concerns regarding the design of the buildings have been raised, particularly relating to window design, in view of the site's location (in part) within a conservation area. Though this issue has not been resolved to date, it is anticipated that it will have been prior to the Planning Services Committee meeting.

8.62 Parking has been provided having due regard to government guidance, and is considered acceptable.

8.63 In conclusion, the proposal is considered compliant with the local planning authority's standards and other criteria, and approval is therefore recommended.

**RECOMMENDATION**

8.64 It is proposed that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to **APPROVE** this application in consultation with Ward Members, subject to receipt of amended plans to overcome design concerns. The revised plans should include an appropriate window design and link to the listed chapel building.

## PLANNING SERVICES COMMITTEE - 20<sup>th</sup> March 2003 Item 8

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- 1 SC4 Time Limits Full
- 2 SC14 Materials to be Used
- 3 SC41 Hours of Deliveries
- 4 SC50A Means of Enclosure
- 5 SC59 Landscaping
- 6 SC74 Surface Finish
- 7 SC76 Parking and Turning Space
- 8 Prior to the demolition of any of the existing buildings on the site, a bat survey shall be carried out to establish the presence, or otherwise, of bats in the existing buildings. The survey shall also include a mitigation strategy providing full details of the measures to remove the species from the site, and translocate them to a suitable alternative location. The survey and accompanying mitigation strategy shall be submitted to the local planning authority for its approval in writing, prior to the commencement of the development and the demolition of any of the existing buildings on the site; and the removal of species from the site shall be carried out in strict accordance with the approved details.
- 9 Prior to the use of any of the buildings hereby approved, details of the provision to be made for cycling parking shall be submitted to and approved in writing by the local planning authority. Such provision as is approved in writing shall be provided prior to the use of any of the buildings hereby approved, and shall thereafter be permanently retained and maintained free of any impediment to its use for the parking of bicycles.
- 10 A Travel Plan tailored to this site shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall promote sustainable transport methods whilst seeking to minimise car travel, including measures to encourage cycling, walking, car sharing and the use of public transport. Such a Travel Plan as is approved shall be implemented upon commencement of the use of any of the buildings hereby permitted and shall thereafter continue to be implemented and managed throughout the lifetime of the development.
- 11 Concurrent with their provision, the car parking areas illustrated on the submitted plans hereby approved shall be fitted with entry/exit barriers or such other device to prevent their use by unauthorised persons. Such measures as are installed shall thereafter be maintained throughout the lifetime of the development.
- 12 Prior to the commencement of the use of any of the buildings hereby approved, a footway shall be provided a minimum of 1.8m wide in the position coloured GREEN on the submitted plan returned herewith. The footway shall match in height, surfacing and kerbing details the existing footways at either end.
- 13 SC90 Surface Water Drainage
- 14 SC91 Foul Water Drainage
- 15 SC92 Extract Ventilation

- 16 Before the development is commenced, a detailed contaminated land assessment shall be carried out and submitted to the Local Planning Authority. The method and extent of the assessment shall be approved in writing with the Local Planning Authority prior to commencing works. A scheme to remedy any contamination identified by the assessment shall be submitted and agreed in writing by the Local Planning Authority. The development shall then be implemented and completed in accordance with the approved scheme of remediation. On completion of remediation the developer shall submit a written report to the Local Planning Authority detailing the works carried out and the results of any validation sampling.

**Relevant Development Plan Policies and Proposals:**

Rochford District Local Plan First Review UC1, UC2 and UC3

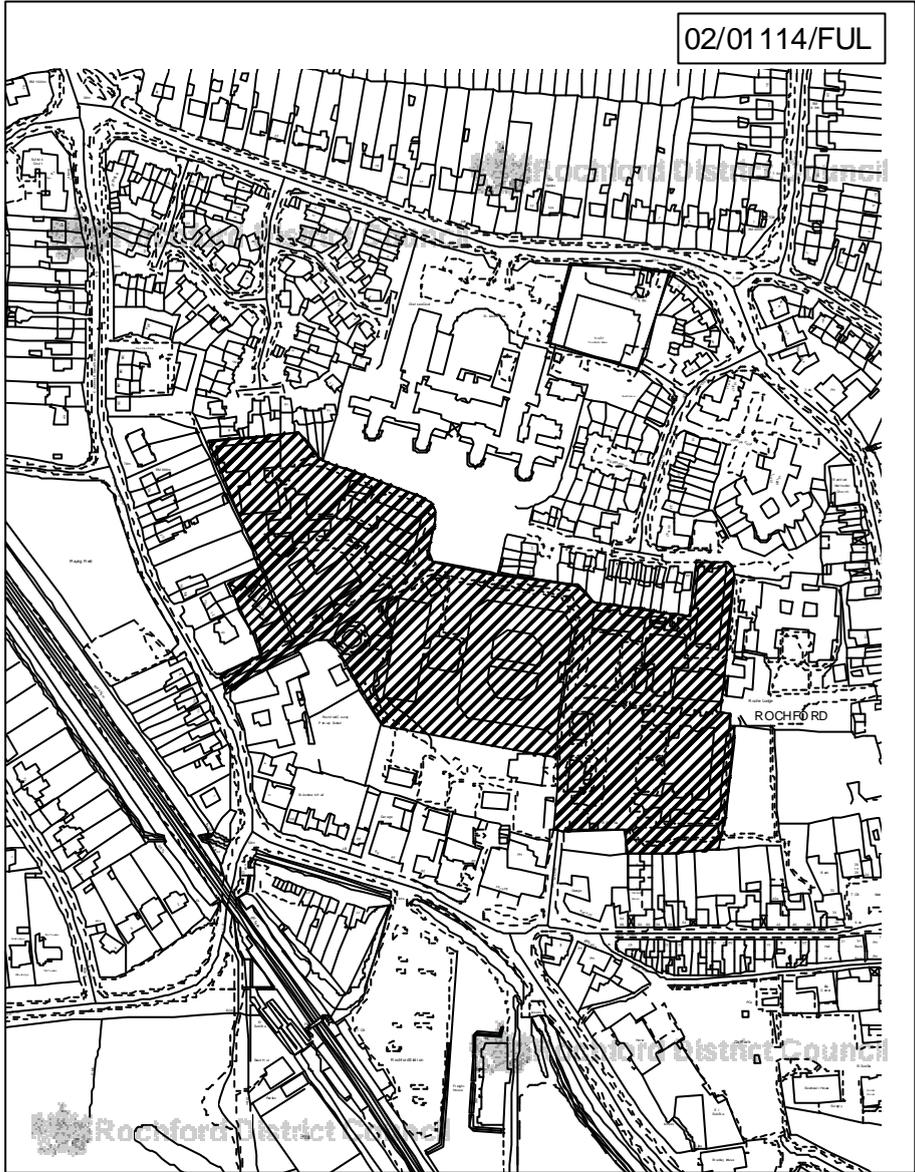
Essex and Southend-on-sea Replacement Structure Plan HC2.

Shaun Scrutton  
Head of Planning Services

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For further information please contact Peter Whitehead on (01702) 546366.

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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.**