



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
DEVELOPMENT CONTROL COMMITTEE 29th March 2007**

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 And Transportation, Acacia House, East Street, Rochford.



Ward Members for Committee Items

GRANGE

Cllr C J Lumley

Cllr Mrs J R Lumley

ROCHFORD

Cllr J P Cottis

Cllr K J Gordon

Cllr Mrs S A Harper

SWEYNE PARK

Cllr Mrs J Mockford

Cllr P K Savill

WHEATLEY

Cllr J M Pullen

Cllr Mrs M J Webster

SCHEDULE ITEMS

- | | | |
|---|--|--------------------------------|
| 1 | 07/00080/FUL
Renew the Permission for the Siting Of Modular Building To Provide Reception And Interview Facilities For Council Offices (To Meet The Requirements Of New Disability Access Laws)
7 South Street Rochford | Mr Mike Stranks
PAGE 4 |
| 2 | 07/00083/OUT
Demolish Existing Property Treetops and Erect 3 Detached Dwelling Houses With Garages and Vehicular Access From Hillview Road
Treetops Hillview Road Rayleigh | Mr Leigh Palmer
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| 3 | 07/00023/FUL
Demolish Existing Dwelling and Construct 2 No. Two Storey Buildings to Front and 1 No. Two Storey Building at Rear Providing 15 No. Two Bedroomed and 1 No. One Bedroomed Flats With Access and Car Parking.
58 Victoria Avenue Rayleigh | Mr Mike Stranks
PAGE 18 |
| 4 | 07/00121/FUL
Demolition of Existing Property and Creation of One Block Containing 7 No. Flats and 1 No. Detached Dwelling House. Vehicular Access to the Flats off Lakeside to a Car Park Court (10 Spaces) Vehicular Access to Dwelling House off Lakeside (2 Spaces) (Revised Siting and Layout From That Proposed Under Application Reference 06/01111/FUL)
89 Downhall Road Rayleigh | Miss Catherine Blow
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Schedule Item 1

TITLE : 07/00080/FUL
RENEW THE PERMISSION FOR THE SITING OF MODULAR BUILDING TO PROVIDE RECEPTION AND INTERVIEW FACILITIES FOR COUNCIL OFFICES 7 SOUTH STREET ROCHFORD

APPLICANT : ROCHFORD DISTRICT COUNCIL

ZONING : RESIDENTIAL

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD

Introduction

- 1.1 This application is to a site 50m south of the junction with West Street on the eastern side of South Street and to the rear of existing frontage buildings in use as offices by the District Council. The front buildings are listed as of Special Historic and Architectural Interest and also within the Rochford Conservation Area. Planning permission for the proposal was previously granted for a three-year period. The current application seeks consent to allow the building to remain for a further temporary period.
- 1.2 The building is situated on part of the car park and servicing area which is no longer accessed by vehicles from South Street. Pedestrian access is, however, maintained.
- 1.3 The building has an overall length of 15.513m, width of 8.555m and height to almost a flat roof of 3.4m and features a covered link over a ramped access. The building is finished in a light grey colour with white fenestration.

PLANNING APPLICATION DETAILS

- 1.4 The applicant states that the site is part of a larger site occupied for office purposes comprising several substantial former houses, many of which are Listed and which form an impressive street scene. These buildings have been restored within the last 40 years including various alterations and including the construction of two traditionally constructed two storey linked additions which adjoin the proposal.
- 1.5 The proposal was first submitted to enable the applicant to meet the requirements of the Disability Discrimination Act given constraints to improving the former reception because of its limited size and listed features. The only viable option for the applicant was to consider the proposal as a temporary measure to allow more time for an examination of the future of the offices in their present location.

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- 1.6 The applicant now advises that there is little likelihood in the short term of being able to resolve all office accommodation issues and address all disability matters. Furthermore there are other changes taking place within the organisation due to the housing stock transfer and the possibility of other initiatives that might impact upon staff accommodation requirements. A further period of five years is therefore requested.
- 1.7 The applicant notes previous concerns raised at the type of building, but argues that given the location behind the main façade and temporary nature of the construction that can easily be dismantled and craned away, there would be no permanent harm by extending the lawful period temporarily.

RELEVANT PLANNING HISTORY

- 1.8 Application No. 04/00054/FUL
Siting of modular building to provide reception and interview facilities for Council offices. Permission granted for a temporary period expiring 22nd April 2007.

CONSULTATIONS AND REPRESENTATIONS

- 1.9 **Rochford Parish Council:** No objections.
- 1.10 **Essex County Council:** No objections.
- 1.11 **Essex County Council Specialist Historic Building and Conservation Advice:**
Previously recommended refusal for this application and know of no change in circumstances or policy to now consider the proposal acceptable in conservation terms.

MATERIAL PLANNING CONSIDERATIONS

- 1.12 The building is basic in design given its modular nature with an almost flat roof. The plastic coated steel facing panels are somewhat alien to the locality.
- 1.13 The surrounding built form is essentially brick and rendered walls but with some weatherboarding and tiled roofs. Some parapet details are also evident.
- 1.14 The proposal would not therefore fit harmoniously with the general context of the adjoining listed buildings.
- 1.15 The County Council's specialist adviser previously expressed the view that the building was not an appropriate structure with no architectural quality whatsoever and would only have a detrimental effect upon the character and appearance of the listed building and its setting. The prospect of the building being located indefinitely was considered to be unacceptable in conservation terms.

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- 1.16 In the previous application further comment was, however, made that there is not much of the original setting of these former houses surviving in this part of the Conservation Area and which is still the situation at present.
- 1.17 The proposal falls within a group of buildings that contributes both to the character and setting of the Listed Buildings on South Street and also the character and appearance of the Rochford Conservation Area.
- 1.18 No. 7 South Street is the building most closely adjoining the proposal and is a building that has merit as individual and group value. The features of merit are the red brick and plain tile roofs and sash windows and gauged brick arches. The building proposed must, however, also be assessed against the more recent additions. The modular building is well maintained.

CONCLUSION

- 1.19 On balance it is considered that the building would not be prominent to the views of South Street and only affecting limited views from Lever Lane and Millview Meadows, themselves of relatively recent origin. Whilst the modular building is not of a design and appearance that could be supported permanently within the setting of a listed building and conservation area, the building is, however, in place, well kept and satisfies the immediate requirements of the applicant to provide essential access to public services.
- 1.20 A further temporary period of five years duration would not be unreasonable given the public need for an adequate reception facility for the Local Authority as set against the harm to amenity and views caused by the presence of the building in the Conservation Area and setting of the adjoining Listed Buildings.

RECOMMENDATION

- 1.20 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:-
- 1 This permission shall be limited to a period expiring on 21st April 2012 at which time the modular building hereby permitted shall be completely removed from the site and the land restored to its former condition on or before the expiry date, unless a renewal of this permission has been sought and obtained.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as

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to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

Relevant Development Plan Policies and Proposals

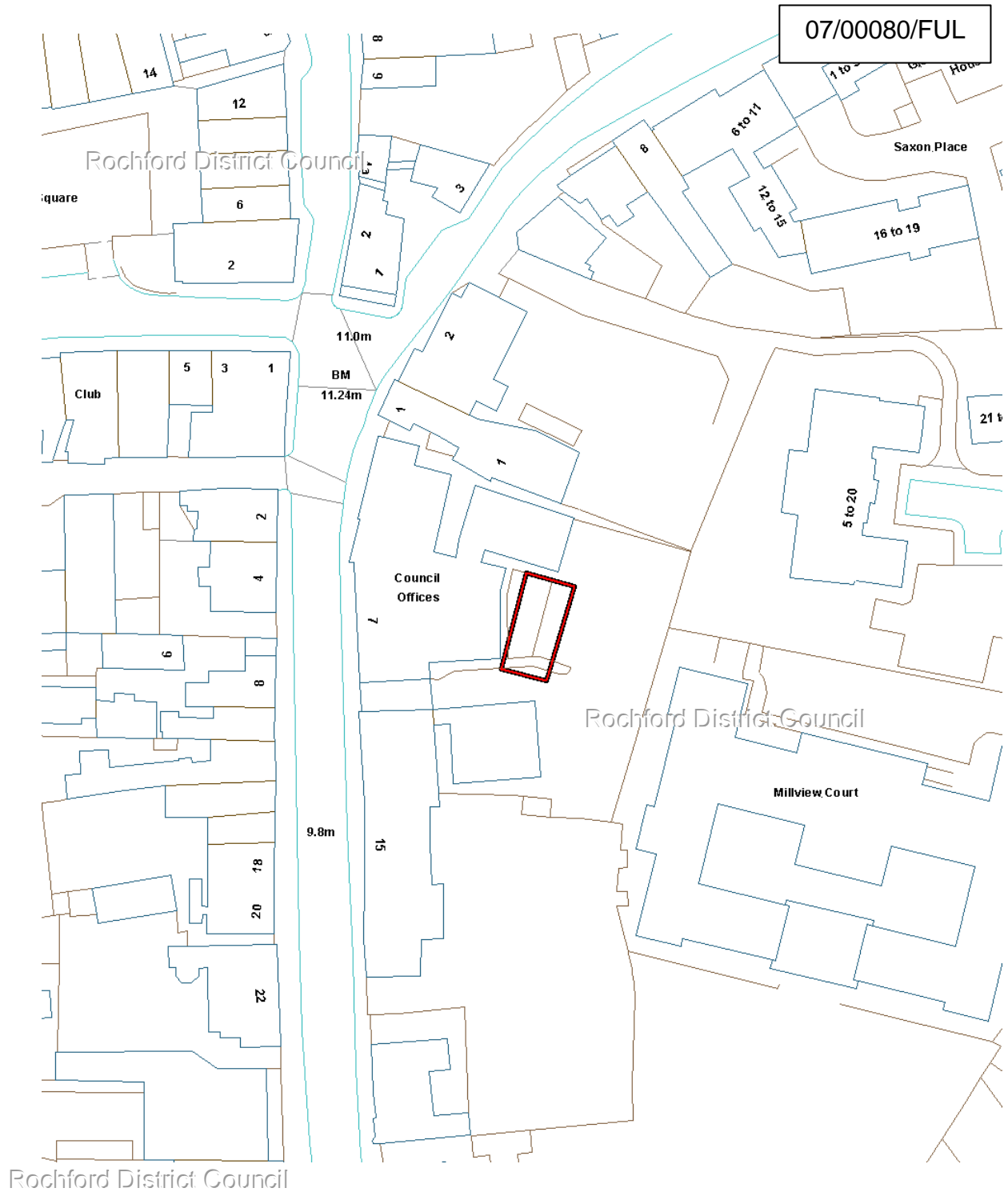
HC2, HC3 of the Essex and Southend-on-Sea Replacement Structure Plan
(Adopted April 2001)

Rochford District Replacement Local Plan (Adopted 16th June 2006)
BC 1



Shaun Scrutton
Head of Planning and Transportation

For further information please contact Mike Stranks on (01702) 546366.



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NTS



INVESTOR IN PEOPLE

Schedule Item 2

TITLE : 07/00083/OUT
**DEMOLISH EXISTING PROPERTY TREETOPS AND ERECT 3
DETACHED DWELLING HOUSES WITH GARAGES AND
VEHICULAR ACCESS FROM HILLVIEW ROAD
TREETOPS HILLVIEW ROAD RAYLEIGH**

APPLICANT : MR AND MRS N TONKIN

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

PLANNING APPLICATION DETAILS

- 2.1 This application follows the refusal of planning application 06/00650/FUL which sought permission to erect two detached dwelling houses in the side garden of the property (Treetops). That application is currently under appeal.
- 2.2 This application relates to a larger site than that previously considered and now includes the demolition of the existing property (Treetops).
- 2.3 Permission is sought for the demolition of the existing property (Treetops) and the erection of three detached properties with access onto Hillview Road.
- 2.4 The properties are of a unique design, being split level to take account of the changes of levels across the site as well as views to the north.
- 2.5 The split level design, proposes excavation of the sloping site to give a more level site at ground floor level providing accommodation for main entrance, integral garage, three bedrooms and terrace. The next level provides accommodation for kitchen diner and living room. The uppermost level provides a bedroom and a bathroom.
- 2.6 The floor space of the proposed dwellings decreases on each level of the proposed dwelling. The middle level (kitchen diner and living room) is shallower in depth than the ground floor and also incorporates a covered front terrace and rear decking area. The upper floor is recessed from the front of the property by 6m.
- 2.7 The changes of levels that exist in the site from the rear down to the front and also from the right down to left across the site frontage and the proposed excavations result in the ridge heights of the proposed dwellings being consistent with those of the adjoining dwellings.

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- 2.8 All three of the proposed dwellings are to have a similar architectural design but are to differ through their colour finishes. All of the proposed dwellings are to be capped in a pitched roof clad in artificial slate.
- 2.9 The external appearance of the frontage comprises brick skin and timber garage door at ground floor with significant timber cladding and glazing on the upper floors. The flank walls are to be clad in timber boarding punctured only by the main access doorway, kitchen window and stairwell windows. The rear elevation proposes patio doors to the ground floor terrace, first floor decking to the dining room and further glazing and timber cladding to the upper floors.
- 2.10 Given the changes of levels across the site and the trees to be retained, the rear gardens would be characterised and have the feel of a sloping, wooded area.

RELEVANT PLANNING HISTORY

- 2.11 06/00650/FUL Outline application for the erection of two detached dwelling houses (Siting and Design being considered here). Refused 28th September 2006. Currently under appeal.
- 2.12 This application was refused planning permission for two reasons:-
- 1 The proposal, by way of the sub-division of the site into 3 plots, would result in an over-development of this elevated site in comparison to the other more individually designed and spacious properties adjoining the site on this side of the road. If permitted, this would be to the detriment of the character of appearance of the area, particularly given the unmade character and spaciousness of this particular street.
 - 2 The proposed houses, by virtue of their design, size and roofscape, would, if permitted, be out of keeping with the street scene which comprises predominantly more modest or individual and spaciouly set dwellings. In particular, the bulk of the roofscape on such an elevated site, compounded by the asymmetrical built form on the side elevations, exacerbates the alien appearance of the proposal in the street scene.

CONSULTATIONS AND REPRESENTATIONS

- 2.13 **Rayleigh Town Council:-** No objection.
- 2.14 **Rayleigh Civic Society:-** Part two storey, part three storey dwelling out of keeping as the three storey element would be very obtrusive. Over-development of the site which should be resisted in the interests of neighbouring properties.

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- 2.15 **Engineers:-** No objections, comment that the road is private and no public foul or surface water sewer within Hill View.
- 2.16 **National Trust:-** As owners of Rayleigh Mount they object to the proposal on the following grounds: that it is premature given the outstanding appeal to which the Trust objected; would affect the setting of the Scheduled Ancient Monument and also the setting of the Conservation Area, the loss of the trees would be harmful to the landscape and townscape of the area, if approved there may be pressure for further trees to be removed, may affect the ecological importance of the mount for/as habitat for protected species, this is one of the last undeveloped parts of the environs to the Mount and as such provides important views of it and would hold important archaeological remains.
- 2.17 **OFFICERS' COMMENTS:-** The application site is outside the boundaries of the Scheduled Ancient Monument as well as being outside the boundaries of the Rayleigh Conservation Area. The Council has agreed that two trees can be removed from the site as they currently have mechanical weakness in their form which makes them unsafe; the significant and high amenity trees are to be retained within the proposal. The site has been surveyed for protected species and the site does not provide habitat or foraging grounds for legally protected species. A condition will be attached to any approval requiring access to the site for archaeological investigations prior to any construction work commencing on the development.
- 2.18 **ECC Archaeological Officer:-** Trial trenching and excavations should be attached to any approval.
- 2.19 **Woodlands Section:-** Recommends that a mixture of ground and barrier protection should be provided to protect the high amenity value trees on the site, success of the development may rely on shading/nuisance caused by the high amenity trees to the rear amenity areas, also recommends that gutter guards should be implemented in order to stop blockages. Post development there may be the desire for additional tree works to increase the amount of light to the rear garden, this should only be done with the consent of RDC. May affect the short range views, but the long range views of the high amenity value trees and Rayleigh Mount beyond should not be affected. If to be approved then conditions relating to contractors' compound, tree protection and service runs should be included.
- 2.20 5 letters of objection have been received who have commented in the main on the following issues:-
- Disruption caused to residents in Hillview Road during the demolition and construction phase.
 - Nature and ambiance of the road would be spoilt with further development

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- No public sewers; sewers that exist are always blocking up
- Development would stick out and be out of character with the street
- May affect protected species in the street
- Loss of views of Rayleigh Mount
- Danger to pedestrians from traffic given no footpath
- Possible localised flooding
- May hinder emergency vehicle access during construction and by on street parking.

MATERIAL PLANNING CONSIDERATIONS

ASSESSMENT:-

- 2.21 The application plot is located within the residential zone of Rayleigh and outside of the areas defined as the Rayleigh Conservation Area, and also the Rayleigh Mount (Scheduled Ancient Monument); as such there is no objection to the principle of residential development on the site.
- 2.22 Detached residential properties in themselves would be acceptable in principle and not out of character with the wider street scene. The proposal meets the Council's Local Plan standards in terms of off street car parking, amenity space and separation.
- 2.23 The site has been surveyed for protected species and none are to be affected by this proposal. In addition the high amenity value trees have been retained within this proposal. The Council's Woodlands Officer comments upon the suitability of the scheme in terms of the proximity of the development to the retained trees and the usability of the garden areas. They also comment that the long range views of the high amenity value tree will not be affected by this proposal. They recommend conditions be placed upon any approval to cover tree protection and other related issues.
- 2.24 **DESIGN:-** The principle of detached residential properties on the site is acceptable and the spatial standards of the Local Plan are all met. The front and rear building lines and the ridge line of the proposed dwellings are consistent with the adjoining properties.
- 2.25 This scheme does, however, propose an individual design solution to an awkward development site with building envelopes, and external detailing that is not common within Hillview Road. This in itself is not objectionable and it is considered that the scheme would make a positive contribution to the street scene as well as providing an unusual living accommodation for the occupiers of these dwellings.

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- 2.26 The lack of individuality in the design of the proposed dwellings was a concern raised on the previously refused scheme; it is considered that this scheme proposes three units of individual design which would make a positive contribution to the site and surrounding area. It is accepted that the proposed development would affect the short range views of the Rayleigh Mount. However, given the rising ground topped with high amenity mature trees that are to be retained by this proposal it is considered that the long range views of the mount and the surrounding area would not be affected by this proposal.
- 2.27 The previous refused scheme was resisted on issues relating to the cramped nature of the proposed development. This scheme proposes the demolition of the existing property (Treetops) and the erection of three detached dwellings. All of the three dwellings have greater separation between the properties than they did on the previous refused scheme; the two units adjacent to No 9 Highview Road have increased their separation of each other by 1m to 3m. In addition it is considered that the re-grading of the front garden area with the proposed soft landscaping would further create an open spacious feel to the front of these properties, increasing the feel of separation from the highway and between the proposed properties.

CONCLUSION

- 2.28 It is considered that the inclusion and demolition of the existing property (Treetops) has increased the separation between the proposed dwellings and also between the new dwellings and those existing properties that adjoin the site when compared to the previous refused scheme. Moreover, the proposed design and appearance of the new development, whilst being a different design approach from the previously refused scheme, is acceptable and a more considered and thoughtfully designed scheme.
- 2.29 The increase in separation and design approach with this scheme is considered to have overcome the concerns with the previously refused scheme.

RECOMMENDATION

- 2.30 It is proposed that the Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:-
- 1 No development shall commence, before plans and particulars showing precise details of landscaping of the properties hereby permitted (herein after called the "Reserved Matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

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- 2 Application for approval of all "Reserved Matters" referred to in Condition 1 above, shall be made to the Local Planning Authority before the expiration of three years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of three years from the date of this permission or two years from the date of the final approval of "Reserved Matters", whichever is the later.
- 3 SC14 Materials to be Used (Externally)
- 4 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no window, door or other means of opening shall be inserted above first floor finished floor level on any elevation of the dwellings hereby permitted, in addition to those shown on the approved drawings.
- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) the window(s) marked OBS on the approved drawing(s), shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.
- 6 No development shall commence before plans and particulars, which shall have been submitted to the Local Planning Authority concurrently with the "Reserved Matters" referred to in Conditions 01 and 02 above, showing precise details of any gates, fences, walls or other means of screening or enclosure, to be erected around and between the properties hereby approved, have been agreed in writing by the Local Planning Authority. Such details of screening or other means of enclosure as may be agreed in writing by the Local Planning Authority, shall be erected prior to the first occupation to which they relate first being occupied and thereafter maintained in the approved form.
- 7 No development shall commence before all existing trees subject to Tree Preservation Order TPO shown T1 - T6 on the on the approved drawings have been protected by fencing in accordance with BS 5837 (2005) and erected at the full extent of the root protection area shown hatched on the approved plans and shall run between points A & B indicated on plan No. 2136/OP/03. The fence as approved shall remain for the duration of the development hereby permitted. Such protective fencing shall be removed only when the full extent of the development (including all underground services and works) have been completed. Under no circumstances shall any equipment or materials (including displaced soil) be stored or buildings or structures erected (including site offices), nor shall any changes be made to the existing ground level within the area marked by the protective paling fencing.
- 8 The dwellings shall not be occupied before the garage(s) and hardstand(s) shown on the approved drawings have been laid out and constructed in their entirety and made available for use.

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- Thereafter, the said garage(s) and hardstand(s) shall be retained and maintained in the approved form and used solely for the parking of vehicles and for no other purpose which would impede vehicle parking.
- 9 The vehicular access hereby permitted shall not be used by vehicular traffic before sight splays measuring 1.5m x 1.5m, providing unobstructed visibility of pedestrians using the adjoining footway, have been provided at both sides of the access at its junction with the adjoining highway. Once provided, the said visibility splays shall be retained thereafter and maintained in their approved form free of obstruction above a height of 600mm above the finished surface of the approved vehicular access.
- 10 No development shall commence before the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation, which shall previously have been submitted to and approved in writing by the Local Planning Authority.
- 11 No development requisite for the erection of dwellings shall commence before plans and particulars showing precise details of a satisfactory means of surface water drainage (including attenuation measures if appropriate) for this site have been submitted to and agreed in writing by the Local Planning Authority. Any scheme of drainage details, as may be agreed in writing by the Local Planning Authority, shall be implemented commensurate with the development hereby permitted and made available for use upon completion of the development.
- 12 No development requisite for the erection of dwellings shall commence before plans and particulars showing precise details of a satisfactory means of foul water drainage for this site have been submitted to and agreed in writing by the Local Planning Authority. Any scheme, as may be agreed in writing by the Local Planning Authority, shall be implemented commensurate with the development hereby permitted and made available for use prior to the occupation of the dwellings.
- 13 Notwithstanding the details shown on the plans hereby approved, the trees labelled T2 and T5 shall be removed, all other trees (T1, T3, T4, T6 and T7) shall remain and be covered by the Tree Preservation Order 9/93.
- 14 No development requisite for the erection of dwellings shall commence until details of the proposed finished ground floor levels of the buildings hereby permitted, in relation to the natural and finished ground levels of the site for all elevations of the buildings hereby approved, have been submitted to and agreed in writing by the Local Planning Authority. The slab/site level information shall indicate that the proposed dwellings retain the visual relationship to the existing properties (No 9 & Treetops) as shown on the drawings hereby approved. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.
- 15 No development shall commence until a method statement of construction has been submitted to and approved in writing by the Local Planning Authority. The method statement shall indicate:-

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- the phasing of the construction
- area for contractors' vehicles, materials store and site huts all sited so as not to obstruct the highway
- details of all service runs, method of excavation and connection points.

REASON FOR DECISION

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

Relevant Development Plan Policies and Proposals:

HP6, NR3, NR2, NR4, BC5, BC6 of the Rochford District Council Local Plan First Review



Shaun Scrutton
Head of Planning and Transportation

For further information please contact Leigh Palmer on (01702) 546366.

Rochford District Council, licence No.LA079138

Schedule Item 3

TITLE : 07/00023/FUL
DEMOLISH EXISTING DWELLING AND CONSTRUCT 2 No. TWO STOREY BUILDINGS TO FRONT AND ONE TWO STOREY BUILDING AT REAR PROVIDING 15 No. TWO BEDROOMED AND 1 No. ONE BEDROOMED FLATS WITH ACCESS AND CAR PARKING
58 VICTORIA AVENUE, RAYLEIGH

APPLICANT : HILLIARD HOMES LTD

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: SWEYNE PARK

THE SITE

- 3.1 This application is to a site on the eastern side of Victoria Avenue 71 metres north of the junction made with Cheapside West. The site is broadly rectangular in shape having a frontage onto Victoria Avenue of 32.8m widening to 40m at the rear boundary over an average depth of 63.5m The site has an area of 0.23ha (0.56 acres). On the site exists a vacant detached bungalow sited close to the street and on the southern side of the plot. The remainder of the plot is set out as extensive lawned gardens with numerous established trees, some of which are the subject of Tree Preservation Orders 26/92 and 7/97. The appearance of the site is not manicured and many of the trees and shrubs have grown unchecked.
- 3.2 A gentle slope exists across the site downhill from north to south.
- 3.3 The site is adjoined by more recent housing in depth to the north on the slightly higher slope. The adjoining house at No. 64 Victoria Avenue is of two and a half storey form with three rear dormers. Similar houses face rearwards across this neighbouring property and the house at No. 70 Victoria Avenue also has rear dormers looking across the site.
- 3.4 Adjoining the site to the south is a detached house of 1970s design which is the last in a group of similar dwellings each fronting the southern frontage of the immediately adjoining part of the street.
- 3.5 Opposite the site is a more recent development of two houses to the front and two bungalows at the rear.

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- 3.6 The street character comprises a mixture of detached and semi detached houses and bungalows varying in age and design. A short distance from the site to the south exist six flats in two buildings fronting Cheapside East.
- 3.7 Members visited the application site on 8th April 2006 in consideration of the previous application.

PLANNING APPLICATION DETAILS

- 3.8 The proposal seeks consent to demolish the existing dwelling and construct 2 No. two storey buildings at the front of the site, each containing 4 No. two bedroomed flats. The buildings would flank a new central access into the site and would return along the access frontage.
- 3.9 At the rear of the site is also proposed a two storey building comprising 7 No. two bedroomed flats and 1 No. one bedroomed flat. This building would front onto a car park and turning area to the central area of the site.
- 3.10 A total number of 16 flats would result.
- 3.11 The development would provide 22 No. off-street car parking spaces mostly grouped around the proposed turning head in the central area of the site but two spaces are also shown in the layout to the front of each of the two buildings that would front onto Victoria Avenue.
- 3.12 The central car parking area would be contained in part by a 1.8m high brick wall. Included within this area is space for a cycle shed and bin stores.
- 3.13 The application is accompanied by a bat survey which concludes that no evidence of bats was found in the existing building but it is expected that bats may forage on the site from nearby roosts. The report considers that foraging activity will continue on the developed site and that the development proposed would not have a detrimental effect on the local bat population.
- 3.14 The application is accompanied by a survey for Great Crested Newts and reptiles which concludes that the site is unlikely to support Great Crested Newts due to the lack of suitable water bodies and terrestrial habitat and does not support reptiles more generally with only one Smooth Newt found present on 26 June 2006. The report recommends that the grass be cut low to prevent encroachment onto the site by reptiles.
- 3.15 Included within the supporting information is also a letter from Essex Badger Protection Group who confirm that there are no sett holes within the site and no signs of foraging or entry/exit holes under or through any fences.

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- 3.16 The application is also accompanied by a landscaping method statement.

RELEVANT PLANNING HISTORY

- 3.17 Application No. 04/00999/OUT
Demolish existing bungalow and construct two detached houses with two detached bungalows at the rear with access drive.
Permission granted 11th January 2005
- 3.18 Application No. 05/00987/OUT
Construct 2 No. three storey buildings to front providing 10 No. flats and two storey building at rear comprising 4 No. maisonettes and 4 No. flats with access and parking
Application withdrawn 25th January 2006.
- 3.19 Application No. 06/00136/OUT
Demolish existing dwelling and construct 2 No. Three storey buildings to front providing 10 No. flats and two storey building at rear comprising 4 No. maisonettes and 4 No. flats with access and car parking.
Permission refused 25th May 2006 for the following reasons:-
- 1) The proposal by way of the three storey form, mass and bulk of the buildings proposed fronting onto Victoria Avenue shown as blocks A and B would be incompatible with the site surroundings proving out of scale with existing frontage development to the detriment of the character and appearance of the streetscene contrary to part (iii) to policies H16 to the Council's adopted Local Plan (1995) and Policy HP 11 to the Council's emerging Local Plan (draft for adoption showing changes December 2005).
 - 2) The activities of vehicles entering and turning within the central parking area would give rise to noise and disturbance adversely affecting the enjoyment of, in particular, the adjoining houses Nos. 64 and 56 Victoria Drive contrary to part (i) of policies H16 to the Council's adopted Local Plan (1995) and HP11 to the Council's emerging Local Plan (draft for adoption showing changes December 2005).
 - 3) The proposal, by way of the close proximity of side windows serving habitable rooms in the flank elevations to Blocks A and B, would give rise to unacceptable conditions of loss of privacy between the occupiers of the flats proposed and the occupiers of the adjoining dwellings Nos. 64 and 56 Victoria Avenue.
 - 4) The proposal fails to provide sufficient information with regard to protected species that may be present on the site and in this case the presence of bats. The Local Planning Authority is therefore unable to give the matter proper consideration in the interests of those protected species prior to the

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determination of the proposed development. If allowed, the development could potentially involve the loss of habitat or roosting sites to the detriment of bats suspected to occupy the site and existing building.

- 5) Insufficient capacity exists in the form of local secondary school places to support the needs of future occupiers of the development proposed. The development would lead to an anticipated two further secondary school places being necessary for which no provision is estimated to exist. No offer of a contribution to mitigate this impact has been made by the applicant. The proposal would therefore prove contrary to policies BE5 and H4 of the Essex and Southend-on-Sea replacement structure plan (2001).

CONSULTATIONS AND REPRESENTATIONS

- 3.20 **Rayleigh Town Council** - object to the application because there appears to be over-development of the area.
- 3.21 **Essex County Council Schools Service** - Advise that there will be sufficient primary places at a local school serving this development.
- 3.22 Estimate that this development, if approved, will result in a further secondary school place being required and thus formally request a developer contribution of £14,055.
- 3.23 **Essex County Council Highways and Transportation** - recommend the following heads of conditions to any approval that might be given:-
- 1) 1.5m pedestrian visibility
 - 2) 2.4m x 60 visibility splay either side of the new access
 - 3) New access to be splayed to a suitable dropped kerb crossing
 - 4) Access way to be paved in permanent material
 - 5) The turning areas to be kept clear at all times
 - 6) An independent footway adjacent to the access way shall be provided from Victoria Avenue to the rear car park
 - 7) All materials and operatives' vehicles to be stored clear of the highway.
- 3.24 **Essex County Council Urban Design Team** - Advise that the proposal is acceptable in the context of the more detailed comments below.
- Downpipes should be used to modulate undulating walls to the building
 - All window proportions should be more in line with Essex Design Guide
 - The hood should be shown over the street entry to blocks A and B
 - The lobby should be increased in size to both first and ground floor access points to Block C and built in timber to articulate the entry point

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- The gable should be deleted and balcony windows revised to one rectangular form to the street elevations to blocks A and B
- Provide a detailed landscape designed plan.

- 3.25 Advise would not recommend refusal on the points made but consider the developer would benefit if choosing to follow them and the development would be greatly enhanced.
- 3.26 **Essex Police Architectural Liaison Officer** - no objections but requests a condition that the development be secure by design. The site layout is acceptable for SBD approval.
- 3.27 **Environment Agency** - Ecology: Recommend the recommendations made in the reptile survey report be the subject of a condition to any approval that might be given.
- 3.28 Further recommend the lawn areas be closely mown to discourage possible encroachment of reptiles from the surrounding area.
- 3.29 Drainage: The watercourse to which surface water will drain is the subject of riparian responsibility and the applicant should provide adequate information to the Local Planning Authority to show capacity is available to receive the increased discharge proposed. This should satisfy riparian owners of the watercourse that the development will not increase the risk of flooding elsewhere.
- 3.30 Percolation tests should be undertaken to ensure that soakaways will work adequately in adverse conditions and alternative proposals submitted, if not.
- 3.31 The sewerage undertaker should be consulted regarding the capacity of the foul water sewer. If no capacity, the Environment Agency should be re-consulted with alternative methods of disposal.
- 3.32 **Woodlands Section** - Advise happy with the construction method for the tree barrier protection and that a plan should be supplied that defines the exact limits of the tree protection showing exact locations/distances to be protected. Correct tree protection will avoid any conflict with the Local Authority.
- 3.33 Advise happy with the no dig construction method statement which should now form part of the planning conditions.
- 3.34 Advise the aftercare programme should be extended from two months to two years with replacement for a period of five years.
- 3.35 Advise the proposed hedging should be Hornbeam rather than Beech, as proposed.

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- 3.36 **Natural England** - No objection to the proposal. Satisfied that no bat population will be adversely affected or that no native reptile or amphibian population will be adversely affected by the proposal.
- 3.37 **Essex Wildlife Trust** - No concerns about protected species on the site and fully accept the findings of the reports accompanying the application. In order to keep the site unfavourable for reptiles recommend the grass be kept short to discourage inward migration of protected species.
- 3.38 **Buildings/Technical Support (Engineers)** - No objection. Advise that a public foul sewer exists through the site. A surface water ditch running through the site has a large catchment from green field run-off. Advise public surface water sewer available. 28 Letters have so far been received in response to the public consultation and which make the following comments and objections: -
- unreasonable development
 - out of character with existing properties and with adjoining housing development
 - over-development
 - tranquillity of the area would be lost
 - detrimental to pleasant residential area
 - on-street parking problems
 - Four dwellings sufficient for this site
 - dangerous access into development
 - limited access and turning area for service vehicles
 - link between this area and former Park School site will increase pedestrian usage
 - risk to safety of children walking this avenue
 - additional traffic
 - inadequate parking within the scheme, particularly for visitors and resultant congestion from on street parking
 - additional noise, vibration, damage and pollution burden
 - potential property devaluation of properties close to the development
 - lack of infrastructure, e.g., drainage problems, school places, doctors' surgery, lack of space on the trains, reduced water pressure to homes
 - overlooking and loss of light
 - although proposal more sympathetic than last year's, still object
 - the future of wildlife on the site should be addressed
 - sight of 16 rubbish bins lined up in the street will not maintain the correct street scene
 - current permission for housing and bungalows will blend in with surroundings much better
 - previous developments have caused considerable congestion
 - unbelievable this can be considered when some residents are not even allowed dormers because they are considered to be out of keeping

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- this part of Rayleigh has had its fair share of new development
- repeat applications hope that objection will dwindle over time. Urge Council to consider previous objections to prevent this behaviour
- no objection to larger family homes being built on the site
- not acceptable in a child orientated neighbourhood
- outline for four dwellings then request for eighteen and now sixteen makes a mockery of local planning consent
- proposal changed very little and still raises previous concerns
- will restrict access to existing dwellings
- ongoing problem of the existing oak tree and new owners may be unaware of inheriting claim for damages against them.

MATERIAL PLANNING CONSIDERATIONS

- 3.39 In terms of the reasons for refusing the previous application the following paragraphs detail the material considerations:-

Mass Bulk and Scale to Frontage Buildings: Reason 1

- 3.40 Consideration of the previous application concluded that the three storey form of the front two buildings was inappropriate in mass, bulk and scale to the family housing form that comprises the predominant character of dwellings in the locality. The current application has responded to this issue by amending the design of all three buildings to take account of the issues raised, particularly having regard to the comments of the County Council's Urban Design Team with which the applicant has consulted prior to this revised application.
- 3.41 The frontage buildings Blocks A and B would have an overall height of 8.6m which compares with the adjoining house No. 56 Victoria Avenue and is of a height more consistent with the established dwellings in the street. The new height is some 1.6m lower than previously proposed. The current application is also for a more simpler building with a return elevation onto the proposed central access road and which makes for a better setting for the development and less bulky overall form to the frontage buildings.
- 3.42 The building proposed to the rear of the site has also been improved to have balance and symmetry with more traditional form and giving a visually more pleasing appearance to the development than previously. The accompanying design and access statement states that all the buildings proposed will feature a mixture of brickwork and rendered external finishes with tiled roofs and small balconettes with metal railings to give more scale and balance to the elevations. This revised application is considered of an appropriate scale and design for flats, given the size of the site and character of buildings in the locality and consequently is considered to overcome reason 1 to the previously refused application.

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The proposal is therefore considered to meet the requirements of Policy HP11 Part (iii) to the Council's adopted Local Plan (2006).

Highway Amenity Issues: Reason 2

- 3.43 Victoria Avenue is a busy street providing access to a large area of established and new housing. The additional traffic generated by this development by way of some fifteen additional household movements would not give rise to such a material increase in traffic against this backdrop that would be distinguishable over and above that currently existing along the street. The majority of parking provided would be to the rear of the frontage buildings with only four spaces to the front of the site.
- 3.44 Given the previous concerns at the effects of the layout upon the amenity of adjoining residents the current application shows the enclosure of the flank and forward limits of the central car parking and turning area within a 1.8m high brick wall and the proposed cycle and bin stores. The layout of the central parking area is broken by landscaped sections, as recommended by the County Council's Urban Design Team. Taking into account the revised depth of the frontage buildings, it is considered that these changes to the layout give a softening of the car park and achieve a size of parking area proportional to the character of the development proposed and would achieve a reduction in previously anticipated detrimental effects sufficient that reason 2 of the previous decision has been addressed. The proposal is therefore considered to meet the requirements of Policy HP11 part (iii) to the Council's adopted Local Plan (2006).

Overlooking Issues: Reason 3

- 3.45 The frontage buildings (Blocks A and B) show side facing windows to both floors onto the access road and to the projecting rear wing of the buildings and facing onto the adjoining rear gardens of neighbouring dwellings. The first floor windows to the building return looking across adjoining gardens would serve a stairwell, bathroom, kitchen and second window to a through lounge. These windows would be 6.0m – 6.8m from the respective site boundaries. The applicant, however, proposes these windows to be obscure glazed and whilst not normally desirable for the kitchen areas, the internal layout provides borrowed light from the rear facing lounge patio windows. In these circumstances it is considered acceptable to obscure glaze these specific windows as a condition to any approval that might be given. The revised design achieves an improved relationship to adjoining dwellings and the revised internal layout to achieve a better internal living environment to borrow light to rooms that need obscure glazed windows now overcomes reason 3 to the previous refused application which related to the loss of privacy arising from the design of the previous frontage buildings.
- 3.46 The building to the rear of the site would be located 21m behind the frontage buildings, also part of the proposal and separated by the intervening car park and turning area.

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The windows to the front of the building and backing onto adjoining dwellings serve bedrooms and would be skewed in alignment to the existing dwellings neighbouring the site over a distance of 28m. With the exception of the one bedroomed unit located to the middle of the elevation at first floor and having a kitchen window facing onto the car parking and turning area, each of the front first floor windows serve bedrooms. The side facing kitchen windows to the first floor flank elevations would be obscure glazed and enjoy borrowed light from the rear patio windows serving the lounge areas and overlooking the parkland to the rear of the site. The use of a bedroom is not normally as intense as lounge and kitchen areas where occupants might spend more time within the dwelling and therefore the likelihood of overlooking would not be so great. The Essex Design Guide states an acceptable distance between habitable rooms between flats and adjoining development to be 35m. However this distance can be reduced where the buildings would be sited greater than 15 degrees to one another.

- 3.47 The layout proposed achieves a skewed relationship between the buildings at the rear and existing dwellings neighbouring the site. Although not turned to face away from neighbouring dwellings, the skewed siting relationship does not place the windows directly behind existing neighbouring dwellings. Taking into account the lower activity rates of the bedrooms to the flats at the rear of the site and the overlooking of the area more generally from dormers to dwellings to the north it is considered that the resultant circumstances of overlooking would not be such that withholding permission for this reason would be justified in planning terms. This issue of general overlooking from the development to the rear and within the scheme itself was not an issue forming the basis of the reasons for refusing permission on the previous application.

Ecological Issues: Reason 4

- 3.48 The ecological information submitted in support of the application in respect of bats, reptiles and badgers are accepted by English Nature, Essex Wildlife Trust and the Environment Agency. There are no issues concerning adverse effects of the proposal upon protected species in conflict with policy NR9 to the Council's adopted Local Plan (2006). The proposal therefore overcomes reason 4 of the previous decision.

Education Contribution: Reason 5

- 3.49 The applicant has submitted a Unilateral Undertaking for the financial contribution requested by Essex County Council Schools Service and thus overcoming reason 5 of the previous decision.
- 3.50 The following issues were not found unacceptable in the previously refused application and did not therefore form the basis of any reason for the applicant to address.

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Density and Best Use of Land Issues

- 3.51 The site is located within an area of existing residential development. The provision of flats reflects the demand for smaller households and the residential intensification encouraged within existing residential areas by Policy BE1 to the Structure Plan (2001) and policy HP1 to the Council's adopted Local Plan (2006). The Structure Plan policy advocates the use of higher densities where considered compatible with the character of the area concerned and urban design controls.
- 3.52 Policy HP3 to the Council's adopted Local Plan (2006) argues for a density of not less than 30 dwellings per hectare and that the best use of urban land will be achieved in the range between 30 – 50 dwellings per hectare. The proposal would achieve a density on the site of 69 dwellings per hectare. In contrast, a typical sample area of one hectare including the site shows an existing density of 15 dwellings per hectare. If account is then taken of the development proposed, the density of the same sample area would rise to 31 dwellings and in accord with Policy HP3. Taking into account the absence of any ecological, landscape or strong objections from specialist consultees and urban designers, the mixed character of adjoining development, including development in depth and the limited impact on residential amenity, it is considered the proposal achieves the best use of land at an appropriate density.

Car Parking Assessment

- 3.53 Car Parking provision of 22 spaces equates to 1.4 spaces per flat slightly under the maximum 1.5 spaces stated for major new developments in the Council's Supplementary Planning Document No. 5 (January 2007). The site is considered suburban in character where services are good. No objection is raised by the County Highway Authority to the level of provision notwithstanding the shortfall of 2 spaces against the maximum. The slight shortfall to the maximum figure of 24 spaces is not considered such to justify refusing the application on highway grounds.

Amenity Space

- 3.54 The proposed layout would provide in excess of the minimum private amenity space required adjacent to each building for the accommodation provided. Provision exceeds the minimum required across the site by 45 square metres. Furthermore the development does adjoin an area of public open space to the rear of the site.
- 3.55 The storage and communal areas are shown to the rear and sides of the buildings with provision for cycle storage and refuse bin storage alongside the car parking area. This arrangement compares with the general layout of private gardens to the rear of adjoining housing and is not considered to result in an unsatisfactory relationship to adjoining dwellings or detrimental to the setting of the buildings proposed.

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No details have been submitted at this stage for the design of these outbuildings but given the acceptability within the layout it is considered such details can be the subject of a condition to any approval that might be given. The proposal is therefore considered to meet the requirements of Policy HP11 part (ii) to the Council's adopted Local Plan (2006).

Landscaping:

- 3.56 The application is accompanied by landscaping details setting out the preparation and care of the landscaping shown. These details include a method for the protection of existing trees and the construction of the parking area adjoining preserved trees. In addition to those trees retained the applicant proposes native planting of 10 No. Silver Birch, 5 No. Alder and 3 No. Lime trees as well as the planting of shrubs in the proportion of 40% Hazel, 20% Holly, 20% Field Maple 10% Spindle and 10% Dog Rose. The remainder of the site will be laid to lawn. No objection is raised to these details but the recommendations of the Council's woodlands officer are considered necessary conditions to any approval that might be given.
- 3.57 The current application shows no change to the existing boundary treatment and it is considered that no change is required for the development.

Isolation Space

- 3.58 The layout proposed shows the side space between the proposed building (Block B) adjoining No. 56 Victoria Avenue to be to 1 metre but widening to 1.6m along the skewing boundary. Elsewhere the buildings proposed would be sited between 1.5m – 3.5m from the boundary in the case of the flatted accommodation and 0.5m in the case of the proposed cycle shed and bin store on the northern boundary to the car park. The proposal would consequently provide an acceptable isolation space between the buildings proposed and the site boundaries.
- 3.59 The proposal is considered to meet the more detailed criteria contained within the Council's supplementary guidance and does not conflict therefore with the provisions of Policy HP6 to the Council's adopted Local Plan (2006).

CONCLUSION

- 3.60 The development is a significant revision to earlier schemes and is considered by officers to satisfactorily address the previous reasons for refusal. The proposal would make best use of this relatively large site within the urban area. The proposal demonstrates that the higher density of the development proposed would not be incompatible with the character of the area and mixed suburban housing adjoining the site and in the locality more generally.

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RECOMMENDATION

- 3.61 It is proposed that the Committee **RESOLVES** to **APPROVE** this application, subject to the applicant giving a Unilateral Undertaking for education contribution of £14,055 and to the following conditions:-
- 1 SC4B - Time limits full - standard
 - 2 SC14 - Materials to be used externally
 - 3 SC 22 - PD Restricted Windows
 - 4 SC23 - Obscure glazing to specified windows
 - 5 SC50 - Means of enclosure - Full (Including PD Restriction)
 - 6 Prior to the commencement of the development, details of the design and external appearance of the bin stores and cycle shed shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as may be agreed in writing by the Local Planning Authority.
 - 7 Notwithstanding the submitted landscape details the proposed hedging shall be of Hornbeam species.
 - 8 The submitted landscaping scheme shall be provided in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. The aftercare period described shall be for a period of two years notwithstanding the details submitted. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.
 - 9 Prior to the commencement of the development, the applicant shall submit detailed plans for the exact limits of the tree protection area to be provided to the trees subject to Tree Preservation Orders 26/92 and 7/97. Such protection area shall be fenced in accordance with details submitted as part of the plans for the duration of the construction period. Within this area there shall be no change to the ground level, storage of materials or equipment, erection of structures or operation of plant unless previously agreed in writing with the Local Planning Authority.
 - 10 Notwithstanding condition 9 above, within the root protection area to the existing trees the subject of Tree Preservation Orders 26/92 and 7/97 the development shall be implemented in accord with the "no dig" cellular confinement system, as shown in the submitted details accompanying the application.
 - 11 SC66 - Pedestrian visibility splays (single)
 - 12 SC64A - Visibility splays – details 2.4 x60

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- 13 The new access hereby approved shall be splayed to a suitable dropped kerb crossing, details of which shall be submitted to and agreed in writing by the Local Highway Authority. The development shall be implemented in accordance with those details as may be agreed.
- 14 SC75 - Parking and Turning Space
- 15 Notwithstanding the submitted plans, the independent footway shown adjacent to the access way shall be extended to meet the pavement to Victoria Avenue. This pathway shall be available prior to the first occupation of the development hereby permitted.
- 16 Prior to commencement of the development, the applicant shall submit details for the provision on the site of a contractors' compound to provide parking for operatives' vehicles and storage areas for materials clear of the highway to service the construction of the development. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

Relevant Development Plan Policies and Proposals

T8, BE1, BE5, H4 of the Essex and Southend-on-Sea Replacement Structure Plan (Adopted April 2001)

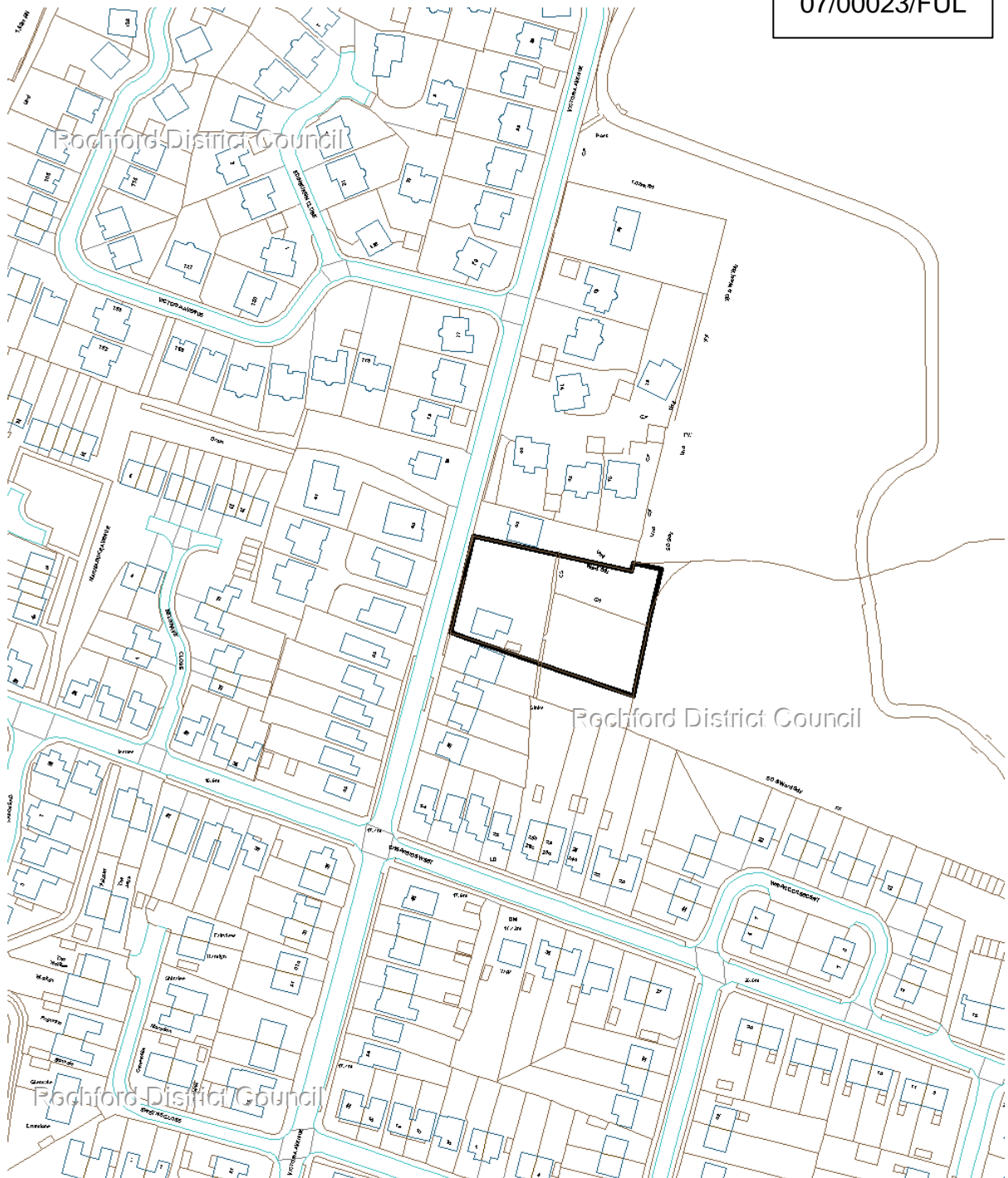
HP3, HP6, HP16, NR9 of the Rochford District Replacement Local Plan (Adopted 16th June 2006)



Shaun Scrutton
Head of Planning and Transportation Services

For further information please contact Mike Stranks on (01702) 546366.

07/00023/FUL



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NTS



INVESTOR IN PEOPLE

Schedule Item 4

TITLE : 07/00121/FUL
DEMOLITION OF EXISTING PROPERTY AND CREATION OF ONE BLOCK CONTAINING 7 NO. FLATS AND 1 NO. DETACHED DWELLING HOUSE. VEHICULAR ACCESS TO THE FLATS OFF LAKESIDE TO A CAR PARK COURT (10 SPACES) VEHICULAR ACCESS TO DWELLING HOUSE OFF LAKESIDE (2 SPACES) (REVISED SITING AND LAYOUT FROM THAT PROPOSED UNDER APPLICATION REFERENCE 06/01111/FUL) 89 DOWNHALL ROAD RAYLEIGH

APPLICANT : MR PETER WISLOCKI

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN

WARD: GRANGE

INTRODUCTION

- 4.1 This follows very closely to a previous submission for a fairly similar scheme submitted under reference 06/01111/FUL. This previous application was withdrawn prior to a formal determination due to concerns raised by the Council's Woodlands Team relating to the impact that the proposed development may have upon the preserved trees in the northeastern corner of the site.
- 4.2 The applicant has amended the scheme by re-siting the block of flats approximately 2 metres west of the original location within the site in order to overcome the concerns raised regarding the protected trees.

PLANNING APPLICATION DETAILS

- 4.3 This application seeks to demolish the existing property and erect a block of 7 flats and a detached dwelling. The proposal includes provision of 10 parking spaces for use by occupants of the flats and 2 spaces for the occupants of the detached dwelling. Access will be gained from Lakeside.
- 4.4 The applicants submitted a similar scheme for consideration under reference 06/01111/FUL. This previous application was withdrawn prior to formal determination from this Authority.

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The previous application was identical in the design of the built form but the block of flats is now located approximately 2 metres closer to the western boundary. This amendment to the proposal was due to concerns from the Council's Woodlands Team regarding the impact upon the preserved trees located close to the eastern boundary. The re-siting of the building has resulted in amendments to the parking layout with a reduction of one space from 11 spaces to the 10 parking spaces proposed in this application.

- 4.5 The proposal consists of one block of seven, two-bedroom flats located in the north of the site. The flats are a contemporary design with an extensively glazed gable front, with a double pitch overlooking the existing pond in the south portion of the site. Within the glazed front are balconies and ground floor terraces that also overlook the pond. The block measures 19.8 metres in width (east to west) and 19 metres in depth (north to south). There is also communal amenity space located to the east of the flats. The side elevations, namely east and west, are more solid with first floor angular projections. The block is two-storey with some accommodation within the roof space. The parking area is located to the west of the block close to the access to the site from Lakeside.
- 4.6 The detached dwelling is located close to the south east corner of the site, to the east of the pond. The dwelling is also contemporary in design and maximises the views over the pond. The design also echoes the design of the flats with its roof design and first floor angular projection. The amenity space is located to the north of the dwelling. Access is also gained from a separate point of entry located within Lakeside.

SITE AND THE SURROUNDING AREA

- 4.7 The application site is located on lower ground than the highway that surrounds it to the east, south and west. The majority of the site is taken up by the pond that is located to the south of the existing dwelling on the site. The dwelling is a substantial chalet style property that benefits from a significant, full two-storey side extension on the northern side. The dwelling is located approximately 1.2 metres from the northern boundary and although located some distance from Downhall Road has its frontage onto it. The current vehicular access is gained from Downhall Road, close to the boundary with 89A Downhall Road. However, there is also a double garage, used by the current occupants in the corner of Lakeside, adjacent to 14 Lakeside. There is a pedestrian access located in Lakeside, adjacent to the double garage.
- 4.8 There are two protected trees on the site located in the northeast corner. The first is close to the north boundary and is a Horse Chestnut tree. The second is located to the southwest of the first tree and is an Ash tree. The area surrounding the protected trees is paved and landscaped garden.

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- 4.9 The surrounding properties in Lakeside are detached and semi-detached gable end properties that were built in the 1970s and are of uniform design. In contrast, Downhall Road is characterised by mixed residential properties with an irregular pattern of development. The property to the north of the site is a detached dwelling, with a pair of semi-detached dwellings further to the north and a row of terraced houses located on the corner of Deepdene Avenue. The land to the south of the application slowly rises in level. The properties to the south are chalets with red brick built houses further to the south. The properties opposite are generally semi-detached houses except for the property on the corner of Down Hall Close, which is a chalet. The style of properties change again with flat roof semi-detached houses located within Hedgehope Avenue.

RELEVANT PLANNING HISTORY

- 4.10 **06/01111/FUL** Demolition of Existing Property and Creation of One Block Containing 7 No. Flats and 1 No. Detached Dwelling House. Vehicular Access to the Flats off Lakeside to a Car Park Court (10 Spaces) Vehicular Access to Dwelling House off Lakeside (2 Spaces) - WITHDRAWN
- 4.11 **98/00508/FUL** Erect Two Storey Side and First Floor Rear Extensions – APPROVED

CONSULTATIONS AND REPRESENTATIONS

Round One (responses received during 06/01111/FUL which was withdrawn)

- 4.12 **Rayleigh Town Council:** No objection.
- 4.13 **Highways:** No objection but suggest several conditions relating to wheel washing facilities for construction traffic, indicate in writing the location for parking of construction vehicles and the storage of materials clear of the highway. The access shall be gained solely from Lakeside from locations as shown on the deposited plans and no other point. There shall be no alteration to the existing turning head within Lakeside with the exception of implementation of dropped kerbs. Prior to works commencing, details shall be submitted regarding the dropped kerb within the turning head of Lakeside. The access to the flats shall measure no less than 4.5 metres in width and shall be splayed not less than 1.5 m x 1.5 metres at the rear of the footway. The access to the detached dwelling shall have suitable pedestrian visibility splays measuring 1.5m x1.5m at both sides of the access. The footway within the turning head shall be amended to allow vehicular access over it. The access ways shall be constructed in bound materials. The existing access within Downhall Road shall be removed and the up stand kerbs reinstated to prevent any vehicular access. All works within the highway shall be completed to the satisfaction of the highways authority.

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- 4.14 **Woodlands:** The development will result in an unacceptable, permanent loss of rooting to T1 Ash. The proximity of the building will cause constant pressure for tree pruning on a regular basis. Furthermore, the large leaves may cause problems with light loss and the key like fruits may also cause nuisance during dispersal, such as blocked guttering and drains. It is recommended that the development be re-designed to accommodate the tree and the rooting zone. This area would be ideal for the parking area with a no dig construction for the surfaces.
- 4.15 **Engineers:** No objection. Observations that there is a public surface water sewer on the northern boundary.
- 4.16 **Natural England:** No objection as there is no evidence of bats. Applicants should consult Essex A&RG to establish the presence of Great Crested Newts.
- 4.17 **Essex Wildlife Trust:** The site will not sustain great crested newts due to the high population of fish in the pond and so no further surveys need to be carried out. Any works, including demolition or site clearance, pruning and cutting of vegetation should not be carried out during bird nesting season 1 March to 31 August. Alternatively, prior to any clearance works the site should be assessed for nesting birds and active nests. Any nests shall be clearly marked and protected from disturbance. The assessment should be carried out by a suitably qualified ecologist.
- 4.18 **Environment Agency** The response recommends a condition relating to protected species. There is also advice relating to consultation with the sewerage undertaker regarding the availability of capacity in the foul and surface water sewers. If there is no availability the Environment Agency should be re-consulted for other suitable methods of disposal. Any consent should also have attached an informative relating to any works to a watercourse.
- 4.19 **Urban Designer** The design and access statement seems fine, but the images should be larger and it would be advantageous to see a street scene elevation from Downhall Road showing the relative heights of the new buildings to existing.
- 4.20 **Architectural Liaison Officer:** No objections but would request the site is subject to Secured by Design as a planning condition.
- 4.21 **Neighbours** - there were 40 letters received. The issues raised are summarised below:-
- Increase in local traffic at peak times
 - Development is not in keeping with the surrounding area
 - The mass and height of the buildings will be larger than the surrounding houses
 - Destroys a historic lake and wildlife habitat
 - The pond may be damaged during construction of the flats

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- Ruined view of lake
- The development will be located closer to the lake
- Breach of our current privacy as windows from a block of flats would afford views into rear garden and rear facing rooms
- The development would spoil the view
- Traffic hazard for the potential extra 16 cars coming from Lakeside
- Insufficient parking for the potential 16 cars resulting in on street parking
- Danger in crossing the road especially for elderly persons
- Increased pressure on utilities, e.g., water and sewer
- The development would change the demographic of the area with 20 new occupants in a small, friendly community
- The flats will be marketed for £275 000 so will not be affordable housing
- Development will devalue property in Lakeside
- The safety of the quiet cul-de-sac will decrease and so children will not be able to play in the street
- Increased traffic in Lakeside
- The vehicular entrance for 89 Downhall Road should be located in Downhall Road and not in Lakeside
- The car park is located adjacent to the rear garden of 89A Downhall Road resulting in increased noise and pollution.
- Loss of the trees would be detrimental to the character of the area
- Construction traffic will also park in Lakeside
- This existing historic building is one of the few left in Downhall Road
- The stained glass windows in the house depict local views
- The existing development in Rawreth Lane has significantly increased local traffic in Downhall Road and this will exacerbate this
- The density of development is high
- Increased traffic is intrusive to existing occupiers, increases pollution and noise
- More on-street parking reducing access for emergency vehicles
- Increased cars may reduce the turning area in the close and decrease the access to existing driveways
- The pond is a site for the breeding of ducks and moorhens
- This is a bigger building – four times bigger than the existing house
- There is potential for further extension under permitted development rights, making the building even larger.
- The parking area is located prominently in Lakeside which will ruin the outlook
- Loss of privacy and loss of light due to the height of the development to adjacent neighbour
- Proposed ground floor windows will overlook property to the north. These windows are located opposite a lounge window
- The north elevation is poorly designed; loss of outlook and poor amenity for the occupants of the flats.
- Security lighting should also be taken into account as there are three windows on the south elevation which would be affected by lights.

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- The entrance to the house is located in a dangerous position on the entrance to a close
- The design is not in keeping with the surrounding area and this development will set a precedent in the area
- Overdevelopment
- Extra cars in Downhall Road will reduce safety for children walking to Sweyne Park School due to the increased traffic
- Increased “impact damage” due to volume and speed of traffic
- Existing house on the site is a landmark building
- Increased noise from more properties
- The car park is adjacent to the rear garden of 89a
- The lake may be accessible to children
- Pavement outside the site is not wide enough
- The site lines when pulling out of Lakeside make it difficult to manoeuvre onto Downhall Road
- Plan details do not show the existing house and so it is unclear how the new development impacts.
- It is not shown where the bin storage will be located so the bins could be located close to the boundary with 89A which would decrease the security and safety to the rear of 89A and give rise to the potential for smells
- Who will manage the pond
- It is a shame the pond will be lost.

Round Two (Responses Received during the current application 07/00121/FUL)

4.22

Woodlands The improved distance between the development and the tree is better. Recommend that the tree receives tree management before development starts. The applicant should make an application in writing to the Woodlands Team before development commences. An arboriculturalist shall assist in undertaking this application. Tree protection should be submitted as a plan before development takes place. The plan should define the areas of protection and construction method should also be supplied. A mixture of barrier and ground protection should be employed to ensure protection from any root or stem damage but allow access to facilitate development. The barriers shall be labelled to ensure everyone on site is aware of the protection This should be undertaken in accordance with BS5837 section 9 and 11.8.1. All barriers shall be implemented prior to commencement of any demolition. The existing paving surrounding the tree is not adequate for localised heavy loads and so should be removed and replaced with a suitable cellular confinement system as per BS5837 section 9.3 and 11.8.1.

4.23

The foundations within root protection area should be in accordance with BS5837 section 11.6 using the smallest pile diameter as possible to minimise the risk to root damage and reduce the size of the piling rig required.

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- 4.24 The hand dig method statement supplied by the arboricultural report should form part of the planning conditions with an arboriculturalist on site during construction to assess roots and suitable means of treatment in accordance with BS 5837 11.3.5. Any services within the root protection area should be planned now with a suitable method statement in place. The applicant should supply suitable mitigation against tree related nuisance such as provision of guards for drains and gutters.
- 4.25 **Natural England** No objection.
- 4.26 **Environment Agency** The response recommends a condition relating to protected species. There is also advice relating to consultation with the sewerage undertaker regarding the availability of capacity in the foul and surface water sewers. If there is no availability the Environment Agency should be re-consulted for other suitable methods of disposal. Any consent should also have attached an informative relating to any works to a watercourse.
- 4.27 **Engineers:** No objection. Public surface water sewer adjacent to the northern boundary.
- 4.28 Neighbours: 21 letters received broadly relating to the issues raised during the previous application that are summarised below:-
- Overdevelopment of the site
 - The design and scale of the development is out of keeping with the surrounding area
 - Change in the demographics of the area
 - Development will result in increased noise activity, traffic and on street parking within Lakeside
 - Increased activity and traffic in the surrounding area
 - The loss of light and amenity to the adjacent neighbour to the north
 - Demolition of a historic pond and property
 - The relocation of the flats is likely to result in a greater impact to the adjacent neighbour to the north.
 - Environmental impact on the pond on the site.

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

- 4.29 The site is located within the residential zone and as such re-development of the site for residential purposes is considered acceptable. There is also no objection to the principle of flats being accommodated on the site.

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- 4.30 In addition, there is no objection to the principle of the site being able to support a greater density. The provision of flats generally meets the demand for smaller households and is acceptable in principle within residential areas, subject to more detailed criteria contained within policies in both current Structure and Local Plans.
- 4.31 Structure Plan Policy BE1 addresses urban intensification and argues for the maintenance and improvement of the environmental quality of urban areas and for the existing built up areas to be used in the most efficient way, provided proposals do not result in over-development, unsympathetic change and loss of amenity. The proposal recycles an urban site.
- 4.32 The use of higher densities is appropriate but the key is to strike a balance between increased density and the harm to the environment. The density of the proposed development is approximately 43 dwellings per hectare (dph). This is well within the limits of appropriate density of 30-50 dph as stated in policy HP3 in the Rochford District Replacement Local Plan.
- 4.33 Some of the residents responding to the application have commented that the existing dwelling on the site has some architectural merit and when seen with the existing pond they are an important local landmark, which adds some quality to the townscape.
- 4.34 It is accepted that the existing house, garden and pond is a long established land feature; however, the dwelling itself is not exceptional in its design and appearance when viewed in the wider street scene and its loss would not by itself be harmful to the character of the site and surrounding area. In addition the County Conservation Officer has been consulted and the building is not of listable quality.
- 4.35 The pond is to be retained within the new scheme, and its existing size and form will not be compromised by the new development and it will therefore be retained as a local landmark.

Layout/Access and Car Parking

- 4.36 The proposed flats are located in a similar location to the existing house on the site, but are located approximately 0.6 metres further from the northern boundary than the existing house. The site will continue to be dominated by the existing pond, which is a significant expanse and communal open space surrounding the flats although less than with the existing house. The eastern flank of the block of flats is approximately in line with the front of the property to the north, so is not considered to be overbearing in the existing street scene in Downhall Road.

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- 4.37 The block of flats has been re-sited closer to the western boundary than the previous application submitted under reference 06/01111/FUL. This is to allow for adequate space to facilitate the retention of the protected tree on the site. The re-siting of the block results in it being located deeper into the rear garden of the adjacent property than the previous proposal. The impact of the residential amenity is assessed in more detail later in this report.
- 4.38 The detached house is located close to the corner of Downhall Road and Lakeside. However, the site is currently enclosed by a 1.7 metre high (approximately) brick wall and boundary fence so the corner is not currently open in nature. There is also no strong building line in Downhall Road and properties close by, namely 71 and 73 Downhall Road, are located close to the highway. Therefore, it is not considered out of character within the existing mixed street scene.
- 4.39 The parking area for the detached house is considered acceptable from a highway safety viewpoint.
- 4.40 The scheme proposes the closure of the existing vehicular access, except as a pedestrian access, on Downhall Road and creation of a new access in Lakeside. The scheme has been designed not using the access in Downhall Road, following advice from the Highways Authority. Therefore in the interest of highway safety access is gained from Lakeside.
- 4.41 There are two separate accesses within Lakeside to serve this development. The access for the flats is located at the northeast end of the cul-de-sac. The vehicular access for the detached dwelling is located close to the corner of Lakeside and Downhall Road. The accesses are considered to be acceptable by the Highways Authority.
- 4.42 The concern from residents in Lakeside regarding these accesses is understood. However, Lakeside is an adopted highway and there is no reason for it not to be used to access the site. The proposed development is for eight additional units of accommodation and as such, it is not considered the increased traffic generated by the development will have a significant impact upon residential amenity. Members are reminded of a recent application at 36 Hockley Road, for 20 flats that was reported to the Development Control Committee in November 2006. This was refused in part because of access from an existing residential street but subsequently granted on appeal.
- 4.43 The car parking proposed to serve the development is considered acceptable and compliant with this Authority's adopted standards. The flats have 10 spaces, which is almost 150% car parking. There are two spaces provided for the detached dwelling. The Highways Authority is satisfied with this level of car parking.

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The site is located close to public transport links, so a variety of modes of transport are available to the occupants.

- 4.44 The car parking for the flats is located to the west of the flats close to the new access via Lakeside. The layout of the parking is considered acceptable in terms of turning area and highway safety. The majority of the communal parking area is located to the rear of the private amenity space belonging to 89A Downhall Road and close to the end of the public highway and so is not considered to give rise to additional vehicular activity that is likely to cause significant demonstrable harm to the residential amenity of the occupants of 89A Downhall Road.
- 4.45 The bin store for the flats is located close to the access with Lakeside and is an integral part of the building.

Design and Appearance – Scale and Mass

- 4.46 As stated earlier in this report, the proposal is of a contemporary design that is new to this district. However, in the setting and context of the diverse styles of properties within the existing street scene with no strong pattern of development in Downhall Road, this design is not considered out of keeping.
- 4.47 Flats - The proposal is a two-storey development although there is accommodation within the roof space. The height is 9.5 metres and is comparable to the existing height of the property on the site, which is currently 1 metre higher than the property to the north. The roof has been carefully designed, particularly close to the northern boundary to reduce the bulk close to the neighbouring property. The roof slopes away from the north with significant cutouts, leaving flat roof elements on the northeast and northwest corners of the block. This results in a lesser bulk and scale adjacent to the detached property to the north.
- 4.48 The level of the site, in a slight dip with a rise of levels towards the south of the site, ensures that the development will not be in an elevated, prominent position. The flats are still located some 8 metres from the eastern boundary with Downhall Road, which reduces the bulk and scale within the street scene as seen from southeast of the application site. The view from the southeast of the application will be of the double gable glazed frontage. The detached property proposed on the site restricts direct views of the entire southern elevation of the flat block. Therefore it is considered that this block, although large, is located some distance from Downhall Road frontage and screened by the proposed detached dwelling so is not considered to be overbearing or cause significant demonstrable harm to the character and appearance of this fairly mixed street scene.

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- 4.49 The east elevation of the flats, that fronts Downhall Road, is designed to detract the eye from the depth of the flats and the long straight flank is broken up with the use of a flat roof element and the first floor flat roof projection. This elevation will also be partly screened by two mature protected trees in front, which is considered to soften what may have otherwise been a hard-edged, unrelieved flank. The similar west elevation is also relieved by varying roof slopes, enclosed garages and glazing. There are also no proposed windows within the roof slopes at second floor level and so the eye is not drawn up to the second floor.
- 4.50 Detached Dwelling – This part of the proposal is modest in scale and comparable to the footprint and scale of the property to the north of the site, 89a Downhall Road. This dwelling is 7.5 metres in height. Again, the use of roof slopes, first floor overhangs and asymmetrical roof slopes relieves the bulk and scale. The use of a variety of materials and glazing also breaks any continuous lines. This dwelling is located close to the corner of the site, but as stated previously, there is no strong building line in the Downhall Road street frontage and so this is not considered to be out of character or overbearing in this location.

Density

- 4.51 This issue has already been discussed and is well within the density limits of policy HP3 and PPS3.

Impact upon Residential Amenity

- 4.52 The flat block is located close to the northern boundary and as such the impact upon the neighbouring property, 89a Downhall Road, must be assessed. The flats are located approximately 0.6 metres further away from the northern boundary than the existing house on the site. The flat block is approximately 3 metres deeper into the rear garden of the adjacent neighbour than the existing dwelling on the application site. However, this projection is stepped away from the northern boundary of the site and so is approximately 3.2 metres away from the northern boundary. This block of flats does not encroach to within a 45-degree angle. Therefore, any loss of light is considered not to cause significant demonstrable harm to the residential amenity of the adjoining occupier.
- 4.53 The flat block is also approximately 4.6 metres further forward (towards Downhall Road) than the existing dwelling on the site. However, this is not further forward than the property to the north. This results in the block being brought further in line with the front of the adjacent property. There is one first floor window located in the southern flank of the property to the north that is obscure glazed. The responses from neighbours highlighted the location of ground floor windows on the south of 89A Downhall Road.

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The existing boundary treatment currently obscures light to these windows and this arrangement will not change as a result of this development.

- 4.54 The fenestration on the northern elevation of the flats is minimal to minimise the impact upon the privacy of the adjacent neighbour. There are only ground floor windows proposed with no windows located at first floor level or within the roof. The fenestration for first floor rooms in the northern portion of the block of flats is located in the east and west elevations, which overlook a public highway. Therefore the impact upon the privacy of surrounding occupants is considered to be minimal.

Amenity Space, TPO Trees and Landscaping

- 4.55 Flats – The usable amenity space provided for the flats consists of balconies in excess of 5 square metres for the first floor flats, terraces at ground floor level in addition to a communal amenity space adjacent to the TPO trees in the northeast corner of the site. It is considered that although the pond is not technically usable amenity space, it does contribute significantly to the amenity for all the residential units on the site, so should not be discounted from calculations.
- 4.56 Detached Dwelling – The layout as shown on the submitted drawings provides an amenity space in excess of the minimum requirement of 100 square metres. This usable amenity space is located to the north of the dwelling, with an additional strip of garden adjacent to the pond. This meets the minimum standards specified within the adopted Supplementary Planning Guidance.
- 4.57 The preserved trees on the site are to be retained. The arboricultural report submitted in support of the application and the advice from our Woodlands Team concludes that the development is at an adequate distance away from the trees. It is considered that management of the trees under TPO legislation and planning conditions can control any adverse impacts upon the trees during construction of the development.
- 4.58 The existing boundary treatment will be retained to ensure privacy to the amenity for the site, together with the existing landscaping around the pond, and there is no fencing or hard landscape screening proposed between the communal areas of the flats and the garden for the dwelling. This Authority can further control landscaping within the site and further boundary treatment by planning condition attached to any consent issued.
- 4.59 Residents raise safety and security concerns regarding the pond during the construction of the development. This concern can be overcome by using a planning condition ensuring that fencing is provided around the pond for the duration of the development.

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- 4.60 Residents were also concerned regarding the management of the pond. The Design and Access Statement submitted with the application details that a management company will ensure the maintenance of the pond and the detached house will be freehold and will be responsible for a small portion of the site surrounding the pond.

Ecological Issues

- 4.61 The applicants have submitted in support of the application a full ecological survey of the site including the pond. The results of these surveys reveal that there are no protected species within the site. The response from the Woodlands Team and Natural England also reveals no objection to the proposed development on these grounds. Therefore, it is considered that no further action is required for species protection in relation to the development.

CONCLUSION

- 4.62 The proposal is considered to be of an acceptable design in the street scene and balances Government objectives for increased densities within residential zones and the adverse impact upon the environment.
- 4.63 The proposal is considered to be well designed in a contemporary design that is not considered to cause significant demonstrable harm to the residential amenity of surrounding occupiers or to the character and appearance of the street scene. It includes satisfactory access onto the highway and adequate parking within the site. The layout of the development provides adequate private amenity space and retains two mature protected trees on the site.

RECOMMENDATION

- 4.64 It is proposed that the Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:-
- 1 SC4B - Time Limits Full - Standard
 - 2 SC14 - Materials to be Used (Externally)
 - 3 SC59 - Landscaping full
 - 4 Prior to the commencement of the development a suitable means of enclosure, the details of the location and design of which shall first be submitted to and agreed in writing by the Local Planning Authority, shall be erected enclosing the pond on the site. The agreed means of enclosure shall thereafter be retained and maintained in the approved form for the duration of the construction of the development.
 - 5 SC50 – Means of Enclosure - Full (PD Restricted)
 - 6 SC84 – Slab Levels Specified

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- 7 There shall be no demolition works, clearance of the site, or pruning or removal of vegetation, operation of machinery during bird nesting season, namely between 1st March and 31st August.
- 8 No development shall commence, except as in accordance with a programme of construction, including details of the sequence of groundwork operations, precautions to secure the site, arrangements for the storage and/or re-use of excavated materials, the method of excavation and investigation for earthworks, piling and foundations close to the TPO trees on the site, the siting of services and precautions to prevent accidental removal of excavated material from the site, which shall previously have been submitted to and agreed in writing by the Local Planning Authority.
- 9 No development shall commence before all existing trees subject to Tree Preservation Order TPO 13/06, have been protected by suitable fencing erected at the full extent of the crown spread in accordance with BS 5837:2005, which shall remain for the duration of the development hereby permitted. Such protective fencing shall be removed only when the full extent of the development (including all underground services and works) have been completed. Under no circumstances shall any equipment or materials (including displaced soil) be stored or buildings or structures erected (including site offices), nor shall any changes be made to the existing ground level within the area marked by the chestnut paling fencing.
- 10 SC17 – PD Restricted - Extensions
- 11 SC20 – PD Restricted - Dormers
- 12 SC80 – Parking Areas Be Laid Out And Only Used For Parking.
- 13 There shall be at no time for the duration of the development, including the demolition of the existing property on the site, any vehicular access gained from Downhall Road. The existing access on Downhall Road shall be stopped up and sealed to all vehicular movements prior to any works commencing on the site and the highway reinstated to a full kerb to the satisfaction of the Highways Authority.
- 14 The vehicular access serving the flats shall have an opening not less than 4.5 metres wide and shall have pedestrian visibility splays clear to ground of not less than 1.5 metres x 1.5 metres at the rear of the footway to both sides of the access.
- 15 The vehicular access serving the single dwelling house shall have pedestrian visibility splays clear to ground of not less than 1.5 metres x 1.5 metres at the rear of the footway to both sides of the access.
- 16 SC75 – Parking and Turning Space
- 17 SC90 – Surface drainage
- 18 SC91- Foul water drainage

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- 19 Prior to the commencement of the development the applicant shall submit details for the provision of a contractors' compound to be provided within the curtilage of the site to provide parking for site operatives, wheel washing facilities, storage areas and for the reception of materials associated with the construction of the development and clear of the highway. Such details as may be agreed by the Local Planning Authority shall be implemented for the duration of the construction period.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

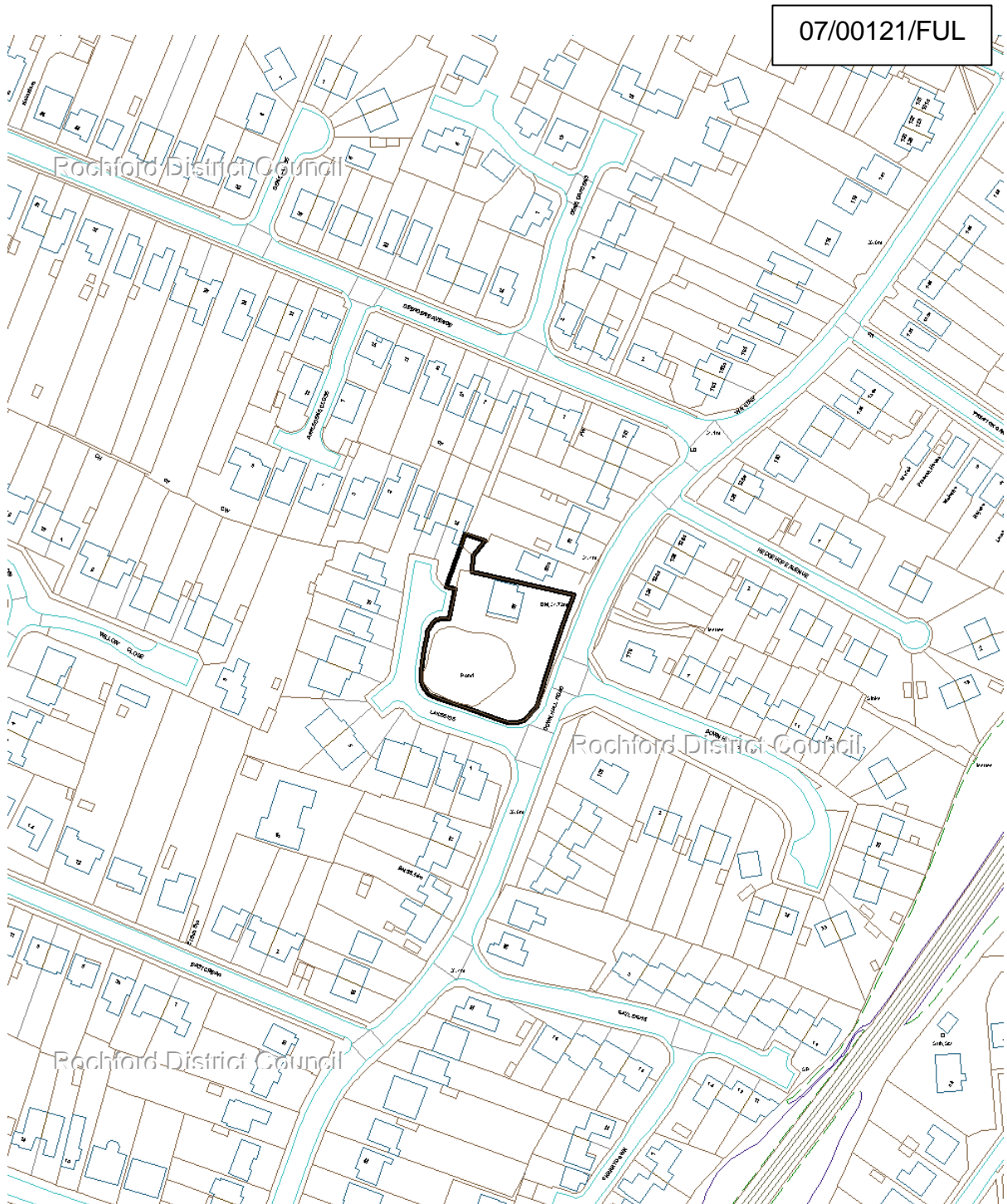
Relevant Development Plan Policies and Proposals

HP1, HP3, HP5, HP6, HP11, NR3, NR9, NR12 of the Rochford District
Replacement Local Plan



Shaun Scrutton
Head of Planning and Transportation

For further information please contact Catherine Blow on (01702) 546366.



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NTS



INVESTOR IN PEOPLE

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.**

If you would like this report in large print, braille or another language please contact 01702 546366.