

**APPLICATION REFERRED FROM THE WEEKLY LIST****WEEKLY LIST NO. 1499 – 8 November 2019****18/00482/FUL****22 MAIN ROAD, HOCKLEY****CONVERSION OF COMMERCIAL BUILDING TO FORM 11  
NO. 2-BEDROOM APARTMENTS****1 DETAILS OF REFERRAL**

- 1.1 This item was referred from Weekly List No. 1499 requiring notification to the Assistant Director, Place and Environment by 1.00 pm on Wednesday, 13 November 2019 with any applications being referred to this meeting of the Committee.
- 1.2 Cllr A H Eves referred this item on the grounds that the previous use was as a large retail and commercial base and a previous appeal was allowed on the basis of a retail element being retained. The Hockley Area Action Plan (HAAP) emphasises the importance of continued provision of retail space within the HAAP area. To lose the previously approved retail space in the latest application does not comply with this.
- 1.3 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.4 A plan showing the application site is attached at appendix 2.

**2 RECOMMENDATION**

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

To determine the application, having considered all the evidence.

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Application No:	18/00482/FUL	Zoning: Residential
Case Officer	Ms Katie Rodgers	
Parish:	Hockley Parish Council	
Ward:	Hockley	
Location:	22 Main Road Hockley Essex	
Proposal:	Conversion of commercial building to form 11 x 2no bedroom apartments	

### SITE AND PROPOSAL

1. Planning permission is sought for the conversion of the former commercial building to form 11 x 2-bed apartments. The scheme would involve extension and alteration of the building including the creation of a fourth storey.
2. Redevelopment has commenced at the site as the site benefits from planning permission granted on appeal in 2014. The 2014 consent allowed for conversion (including extension and alteration) of the main three-storey building to form 10 No. flats with a retail unit at ground floor and for the conversion of the outbuilding to the rear of the site to 3 No. live-work units.
3. The current proposal relates solely to the main (former 3-storey) building at the site.

### SITE CONTEXT

4. The site is in Hockley Town Centre with a frontage onto Main Road. A private road runs along the site's eastern boundary. Residential properties border the site to the west, east and north.
5. The main building to the front of the site was originally three storey and flat roofed. The outbuilding to the rear, separated from the main building by a service and parking yard was two storey and used as a workshop and for storage.

### RELEVANT PLANNING HISTORY

6. 13/00469/FUL - Construct New Roof to Outbuilding and Convert to 3 Bed Live Work Unit, Single Storey Front Extension and Three Storey Rear Extension and Additional Floor to Main Building to Provide Shop and Development of 8 No. One Bedroomed Flats and 2 No. Two Bedroomed Flats With Parking and Amenity Areas. REFUSED AND APPEAL ALLOWED.
7. 17/00018/DPDP3J - Change of use from existing B8 to C3 (residential) to provide 2 no residential units. PERMITTED DEVELOPMENT.

8. 18/01104/NMA - Application for non-material amendment to application 13/000469/FUL to revise outer wall positions to top floor apartment. APPROVED.
9. 19/00473/NMA - Non- material amendment following approval 13/00469/FUL dated 20th February 2015 for the following; 'Construct New Roof to Outbuilding and Convert to 3 Bed Live Work Unit, Single Storey Front Extension and Three Storey Rear Extension and Additional Floor to Main Building to Provide Shop and Development of 8 No. One Bedroomed Flats and 2 No. Two Bedroomed Flats With Parking and Amenity Areas. Revisions to comprise; 1. internal alterations to layout and roof to accommodate lift and staircase 2. Relocating refuse and cycle store.' APPROVED.

#### MATERIAL CONSIDERATIONS

10. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
11. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014), the Development Management Plan (2014) and the Hockley Area Action Plan (HAAP) (2014).
12. The current proposal differs from the 2014 consent in the following main ways which will be considered in detail below;
  - o 11 No. 2-bed flats are now proposed in place of the 10 No. 1 and 2 bed flats approved.
  - o The ground floor retail unit has been omitted from the proposal.
  - o Changes to the design and appearance of the building.
  - o Altered Parking Layout.

#### Principle of Residential Use

13. The principle of converting the building at the site for residential use has been accepted by the 2014 appeal decision. The current application seeks to wholly convert the building to residential use whereas the existing planning consent sought to retain a ground floor retail use.
14. Since the determination of the 2014 appeal, the Hockley Area Action Plan has been adopted and the site falls within the town centre boundary that is subject to policies in this plan.
15. Policy 7 identifies that the Council will encourage development within Hockley centre that supports its vitality and viability specifically identifying that within the primary and secondary shopping frontages, proposals for change of use

for non-retail purposes will be permitted subject to certain criteria, namely where a proposal would;

- o not have a detrimental impact on, or undermine, the predominance of A1 uses, both within the centre as a whole and within the primary shopping frontage.
- o not create a cluster of similar non-retail uses of the same class within a locality that undermines the retail character of the centre.
- o entail the provision of non-A1 use which is considered to positively contribute to the overall offer and encourage people into the centre.

16. Policy 7 essentially seeks to retain a significant proportion of retail use within the town centre but allows flexibility for alternative uses which would still function to attract people in and thereby support the vitality and viability of the centre as a whole. The site is in the secondary shopping frontage and whilst the proposed single use of the building for residential purposes would not entail any commercial use which would encourage people into the town centre, in this case the proposal is nevertheless considered acceptable here. Policy 4 identifies that the Council will support development proposals for additional houses on previously developed land within the HAAP area and the proposed residential use would accord with this policy aim. In addition, this site is somewhat unique within the secondary shopping frontage area of the centre, relating to a building which whilst formally in retail and ancillary office and storage use has not been in use for this purpose for a considerable length of time. The applicants supporting statement dated 2016 refers to the building being vacant at this time, over 3 years ago. It is important for the vitality of the centre that redundant buildings do not remain so for long periods of time. The applicant has also submitted a supporting statement from their viability consultant which confirms that the incorporation of a commercial (A1-A5) use in place of one of the ground floor flats would render the scheme unviable. Given the circumstances relating to this site the proposal is considered acceptable.
17. The Council has a 5 year housing land supply, contrary to the applicants view in the supporting statement, and consequently the benefit arising in terms of supply of new homes whilst positive would not be needed to counter any under supply and greater weight is not therefore attached to the supply of new homes arising. However, the current proposal would see a former redundant building brought into active use, increasing the supply of homes in a sustainable town centre location which accords with a clear aspiration in the Councils action plan for this locality. It is considered that the benefits arising from the proposal would be such that the development would positively contribute to improving the vitality and viability of the centre and would not conflict with the wider aims of the HAAP such as to warrant refusal.

#### Type of Residential Accommodation

18. The existing planning consent allows for the creation of 8 No. 1-bed flats and 2 No. 2-bed flats whereas the current proposal seeks conversion of the main building to 11 No. 2-bed flats.

19. Although the previous consent had contained a mix of dwelling types in terms of number of bedrooms, the scale of the development is not so significant that the lack of mix now proposed would be considered objectionable. Policy H5 which seeks to ensure that new developments contain a mix of dwelling types specifically refers to this as being particularly important on larger sites to avoid these strategic sites only catering for one demographic group. At this site the creation of solely 2-bed flats is considered acceptable.

Impact on Character and Appearance of the Area and Residential Amenity.

20. The 2013 planning application was refused on ground relating to the effects of the proposed development on the character and appearance of the area and the effects on the living conditions of nearby residents with regard to potential loss of outlook and overbearing impact.
21. The Inspector considered these issues in the determination of the appeal and concluded in respect of effect on character and appearance of the locality that the '...contemporary, articulated design of the remodelled building, set behind the landscaped open space, would make a positive contribution to the neighbourhood and would distinctively enhance the character and appearance of the area.' The Inspector specifically referred to the new fourth floor not being overly prominent in the street scene given its setback, particularly given the heights of other 2 to 3 storey buildings in the vicinity. The Inspector also reasoned that the plain, unattractive façade of the building would be transformed with the addition of extensions, new fenestration and feature balconies, some angled and with decorative glass panels. The Inspector also referred to the creation of landscaped communal and private amenity space which would introduce a welcome green space in the street scene and considered that the proposed parking spaces to the frontage would not dominate in the context of the scale of the building and the busy shopping street nor detract from the positive contribution that the proposed façade would make to the area.
22. The existing consent allowed for extension and alteration of the two buildings at the site involving a single storey, ground floor extension across part of the facade, a four storey 'wing' extension from the rear elevation and the addition of a new fourth floor on the flat roof of the building. The rear workshop was approved to be converted into a three bedroom live/work unit within that building's existing height and footprint.
23. The current proposal relates solely to the main building at the site and does not seek to alter the footprint of the building from that approved under the 2014 appeal. The proposal would still add a fourth floor and the materials proposed for use in the external finish are also as per the 2014 scheme. The layout of the site frontage would be much the same as the approved scheme with a portion of soft landscaped space between the façade and the highway boundary which would improve the street scene in this prominent location. The changes to the design and appearance of the building compared to the approved scheme are as follows;

- o Slight change to position/width (wider) of balconies to front elevation
  - o Higher roof height to single storey front extension
  - o Slight change to dimensions and positions of windows/doors to all elevations
  - o Insertion of new windows/door to ground floor front elevation in place of previous shop frontage
  - o Increase to fourth floor area
  - o Increased height of fourth floor roof
  - o Small projection above fourth floor flat roof (lift shaft)
  - o Omission of one window to fourth floor side elevation
24. The current proposal does not differ significantly from the design, scale and appearance of extensions and alterations approved on appeal in 2014. The scheme would have no different effect on the character and appearance of the area than the approved scheme and it remains the case that the scheme would have a positive effect in this regard; the scheme would accord with Policies H1, CP1 and DM1 which seek a high standard of design and schemes that relate well to the existing street pattern, density and character of the locality.
25. The density of the scheme would increase compared to the 2014 appeal scheme. However, the increased density would not be significant and given that the scale of the building would not significantly alter, the proposal would have no greater impact on the character of the street scene. Policy DM2 seeks to ensure that sites achieve a minimum density of 30 dwellings per hectare and the proposal would achieve this. Council policy does not identify as maximum appropriate density although account should be taken of the character of the locality. The proposed density would not result in a development that would not sit well in its surrounding context and the proposal would therefore accord with Policy DM2.
26. In relation to the effect of the 2014 scheme on the living conditions of nearby residents, the Inspector reasoned that the proposal would be acceptable. In particular, the Inspector referred to the proposed four-storey rear wing extension which would extend slightly beyond the side elevation of the nearest residential dwelling and partially impinge on the outlook from that property. However, other aspects of the outlook were considered to improve as a result of proposed landscaping and visual enhancements to the building and on balance the Inspector reasoned that the harm to residential amenity would not be substantial and would be outweighed by the benefits of the scheme.
27. The Inspector also commented that he had no concern relating to the potential level of noise and disturbance likely to be generated by the occupants of the new dwellings particularly given the context of the previous commercial workshop use with delivery vehicles regularly accessing the site.
28. The current proposal does not differ significantly from that approved in the 2014 appeal and would not have any greater impact on the residential amenity of nearby properties. Whilst windows and doors may be positioned

differently and have different dimensions to the approved scheme the differences are slight and no additional windows are proposed. The current proposal would not materially alter the scale of the building and the proposal would not be considered to result in any increased harm to the occupants of nearby dwellings by way of causing overshadowing or the building being overbearing.

#### Access and Car Parking

29. The existing consent allowed the creation of 10 No. flats with the main building and 3 No. 3-bed dwellings in the workshop with each one bedroom flat provided with a single car parking space and two spaces allocated to each two-bedroom unit. Limited provision was also made for visitor parking and cycle storage was provided. The three-bedroom live work units had their own integral double garages. Most of the spaces were laid out in the former service yard between the buildings, with a few spaces provided in front of the main building.
30. The 2013 application was not refused in relation to car parking although the Inspector in the subsequent appeal referred to parking provision in his decision stating that the site is in a highly sustainable location, close to a wide range of services and near to bus and train services and concluded that the provision proposed was acceptable.
31. The current scheme proposes an amended parking layout although as in the approved scheme most on-site parking is provided to the rear of the main building with three spaces provided to the site frontage. Eleven on-site car parking spaces are now proposed which equates to one space per flat. All the proposed spaces would at least meet the minimum bay size of 5 metres by 2.5 metres. A condition is recommended to ensure that the two car ports could not be enclosed turning them into garages as these spaces would not meet the garage space dimensions and enclosure straight onto the private road could lead to highway safety concerns.
32. The adopted parking standard seeks two car parking spaces per two-bed flat as a minimum which in this case would equate to 22 spaces, plus visitor parking provision at 0.25 spaces per dwelling which would require an additional 3 spaces. The total on-site provision that the parking standard would advocate for a development of 11 No. 2-bed flats would therefore be 25 spaces. The parking standard does however acknowledge that in main urban areas where there is good access to public transport a lower on-site car parking provision may be accepted. The previous appeal decision at this site is a material consideration to the determination of this application and in this the Inspector specifically referred to this site being in a highly sustainable location. The site is within walking distance of a range of local amenities and facilities and close to Hockley train station and bus services. The site fronts a main road and the location is such that parking restrictions on nearby roads would prevent any additional parking from taking place in the immediate locality. Existing dwellings in the locality benefit from on-site parking. It is considered that the proposal would deliver adequate parking provision on site



and would not give rise to on-street parking that would cause significant and unacceptable inconvenience to nearby residents.

33. Vehicular access to the site would be off the private road to the site's eastern boundary in the same approximate positions as the vehicular accesses on the approved scheme. There is no highway objection to the scheme and the proposal would not be harmful to highway safety.

#### Refuse and Recycling

34. The current proposal would see the bin store re-positioned adjacent to the eastern boundary of the site alongside the private road. This position is appropriate to enable collection and the size would be adequate to cater for the number of flats proposed. Details of the building/enclosure to house the bins would be required by condition.

#### Sustainability

35. The 2014 consent was subject to a planning condition requiring the lifetime homes standard to be met. This requirement has now been superseded and can no longer be sought. Other policies relating to sustainability however now apply and must be considered.
36. The Ministerial Statement of the 25th March 2015 announced changes to the government's policy relating to technical housing standards such that now planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency.
37. Rochford District Council has existing policies relating to all of the above, namely access (Policy H6 of the Core Strategy), internal space (Policy DM4 of the Development Management Plan) and water efficiency (Policy ENV9 of the Core Strategy) and can therefore require compliance with the new national technical standards.
38. Policy DM4 requires new dwellings to meet minimum internal space standards, However, until such a time as existing Policy DM4 is revised, this policy must now be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to internal space standards. Consequently, all new dwellings are required to comply with the new national space standard as set out in the DCLG Technical housing standards - nationally described space standard March 2015.
39. Each of the flats would be 2 bed, 3-person units as each would have one double bedroom of at least 11.5 square metres and one smaller bedroom. The minimum gross internal floor space for such units is 61 square metres which all the units would achieve; five of the units would significantly exceed this minimum at between 71 square metres and 92 square metres.

40. Not all of the units are shown to be provided with built-in storage to meet the minimum 2 square metres requirement, although this could be achieved within each unit as in each case the minimum gross internal floor space is achieved.
41. Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently, all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. A condition is recommended to ensure compliance with this Building Regulation requirement.
42. Policy ENV8 requires that developments of five or more dwellings secure at least 10 percent of their energy from decentralised and renewable or low-carbon sources unless this is not feasible or viable; a condition is recommended to secure this.
43. In light of the Ministerial Statement which advises that planning permissions should not be granted subject to any technical housing standards other than those relating to internal space, water efficiency and access, the requirement in Policy ENV9 that a specific Code for Sustainable Homes level be achieved and the requirement in Policy H6 that the Lifetime Homes standard be met are now no longer sought.

#### Sustainable Urban Drainage and Flood Risk

44. The site is in Flood Zone 1 at the lowest risk of flooding where residential development is appropriate. Policy ENV4 requires all residential development over 10 units to incorporate runoff control via sustainable urban drainage systems to ensure that runoff and infiltration rates do not increase the likelihood of flooding. As the proposal relates to a site which is entirely hard surfaced the proposal would provide a net gain in terms of surface water drainage by providing amenity areas that are permeable. The proposal would not be considered to increase flood risk elsewhere.

#### Amenity Space

45. The current proposal would provide some private amenity space to each flat. Two of the ground floor flats would have small areas provided to the front of the building whilst the remaining ground floor flat would have an area to the rear; these spaces would be some 13 squares, 11 square metres and 9.2 square metres. Each of the flats at first, second and third floor would be provided with a balcony of at least 5 square metres; the minimum identified in Supplementary Planning Document 2 (SPD2) as required. Although the ground floor amenity spaces would not meet the SPD2 requirement for 25 square metres per flat the spaces provided in this town centre location are considered acceptable.

Ecology

46. Given the characteristics of the site, the proposal would not likely impact on any protected species.

Affordable Housing

47. Since the determination of the 2014 appeal a new requirement for the provision of affordable housing in relation to all major development has been introduced in the National Planning Policy Framework. Whilst the Council's affordable housing policy H4 of the Core Strategy still only relates to developments of 15 units or more, the new national policy requirement relates to sites of 10 units or more.
48. In summary, the national affordable housing policy requirement is that where major development involving the provision of housing is proposed, decisions should expect at least 10% of the homes to be available for affordable home ownership. Whilst there are exceptions to this requirement, none of these would apply to this site.
49. On-site provision of affordable housing could not be achieved given the reluctance of Registered Providers to take on a single unit within an otherwise market housing block at this site. The applicant has therefore submitted a financial viability appraisal in the course of the application to establish the level of financial contribution that could be achieved. The submitted appraisal has been independently tested and the conclusion reached that the proposal can make a financial contribution to affordable housing. The applicant has agreed to pay a financial contribution of £32,312 which would equate to the 10 percent requirement; this would be secured by a s106 legal agreement.

CONCLUSION

50. In the 2014 appeal decision the Inspector concluded that the proposal would '...maximise the use of an existing, underused property and make a useful contribution to the housing stock of the area in a highly sustainable location. The proposal would also transform an unattractive, visually negative property into a good quality, contemporary modern building which, in this prominent position, would significantly enhance the character and appearance of the area and make a positive contribution to Hockley town centre. The development would affect the outlook from a few nearby houses. However, the impact would not be substantial and would be outweighed by the benefits of the scheme. The development would satisfy the objectives of many of the [National Planning Policy] Framework's policies including, the presumption in favour of sustainable development, boosting the supply of houses, securing high quality design, promoting mixed use developments, and encouraging the effective use of previously developed land.'
51. The revised redevelopment scheme as currently proposed would continue to deliver many of the benefits acknowledged above and would deliver a significant financial contribution towards off-site affordable housing provision

in the District. The different housing mix, loss of the retail unit and changes to the design, form and appearance of the scheme would, on balance, not cause the scheme to fall contrary to any planning policy such as to warrant refusal. It is considered that the scheme would satisfy many of the objectives of the NPPF including the presumption in favour of sustainable development and contribute to the supply of high-quality houses that achieve appropriate floor spaces to achieve suitable and comfortable accommodation for modern living.

52. The current proposal does not include any reference to the outbuilding to the rear of the site which benefits from the 2014 planning consent for conversion to 3 No. live-work units. The approval of the current scheme would enable the applicant to implement either consent in relation to the 3-storey building and the 2014 consent could be implemented in respect of the outbuilding. The layout currently proposed would not prohibit the implementation of the approved works to the outbuilding as access to the integral garages would remain as approved in the 2014 scheme; variation of some of the conditions imposed on the 2014 consent may however need to be sought.

**Representations:**

HOCKLEY PARISH COUNCIL: No objections.

ESSEX POLICE: Essex Police would like to invite the developers to contact us with a view to discussing crime prevention through environmental design.

ECC SUDS: We recommend no objection on the basis of the NSTS compliance, given the minimal nature of the proposed works in relation to drainage and flood risk at the proposed site.

The proposed and existing layout drawings provided do indicate a net decrease in the extent of impermeable area. The proposed layout drawings do not indicate any significant site alterations / excavations which would require significant alteration to existing site drainage patterns.

**ECC HIGHWAYS:**

As stated in the Parking Standards Design and Good Practice September 2009, a lower provision of vehicle parking may be appropriate in urban areas where there is good access to alternative forms of transport and the proposal site is considered to be in a sustainable location in the immediate vicinity of Hockley town centre with good access to public transport and other facilities, therefore;

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
  - ii loading and unloading of plant and materials
  - iii storage of plant and materials used in constructing the development
  - iv. wheel and underbody washing facilities
2. The provision of eleven on-site vehicle parking spaces and an associated turning area as shown in principle on planning drawing 18.136/15. Each parking space shall have dimensions in accordance with current parking standards. The vehicle parking area and associated turning area shall be retained in the agreed form at all times.
3. The proposed vehicular access as shown on planning drawing 18.136/15 shall be constructed at right angles to the existing carriageway. The access shall be provided with an appropriate vehicular crossing of the carriageway.
4. There shall be no discharge of surface water from the development onto the Highway.
5. No unbound material shall be used in the surface treatment of the car parking areas.
6. Prior to first occupation of the proposed dwellings the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.

LONDON SOUTHEND AIRPORT: No safeguarding objections.

RDC (ECONOMIC DEVELOPMENT AND REGENERATION):

Having reviewed this application from an Economic Regeneration perspective, we would like to make reference to the following policies:

- 1 Rochford District Councils Core Strategy 2011's Policy RTC1 - Retail in Town Centres - seeks to strengthen and improve the retail offer of District's main centres, including Hockley, and concentrate retail and supporting activities in these locations. Whilst it recognises the vibrancy that residential intensification and further residential development can add to town centres, this is limited to floors above ground level, to preserve existing commercial uses.
- 2 The Hockley Area Action Plan (HAAP) Policy 6 provides the council will support development proposals that seek to improve Hockley's retail offer and strengthen the role of its town centre as a shopping destination for local residents
- 3 The application site is currently designated as Secondary Shopping Frontage by the HAAP. Policy 7 of the HAAP provides the policy framework for

development to buildings within Hockley's Secondary Shopping Frontage. The policy states that an appropriate balance of uses is necessary to support the economic health of Hockley centre, and that development involving the loss of town centre uses will be permitted where it would not have a detrimental impact on, or undermine, the vitality, viability, and retail character of Hockley's Primary Shopping frontage. The loss of a retail unit would have an incremental negative impact on the vitality and viability of the Town Centre. Therefore, it is not considered that the proposed change of use would be in keeping with the policy requirements within the HAAP.

- 4 The 2017 Economic Growth Strategy commits Rochford District Council to be responsive to planning consultations to support business growth and investment and be pro-active in resisting residential conversions of commercial space wherever possible.

Taking into account the above, we would conclude the following:

- o Economic Impact - This change of use and redevelopment will result in the loss of employment opportunities for local people and also impact upon the retail offer and potential of Hockley.

On this basis, we would support the refusal of this planning application.

RDC (REFUSE AND RECYCLING): Please refer the developer to the attached planning policy document, page 90 Appendix 1 for waste collection requirements.

#### NEIGHBOUR RESPONSES:

1 response received from a Hockley resident;

- o This part of Hockley is crowded enough without additional flats.
- o Local services are being pushed to the limited especially with major building in Rochford and other local areas.

Hockley and Hawkwell Residents Association:

- o Loss of shop and office facilities in Hockley.
- o This will set a precedent for four story buildings in Hockley.
- o Issue with access through the parking area to existing industrial unit at the rear of the site.
- o It appears there is a lift included but I see no confirmation of one.
- o Poor state of the existing access road.

#### RECOMMENDATION

That the Council APPROVE the submitted development proposal subject to the following Heads of Terms of a s106 legal agreement and the following conditions;

HEADS OF TERMS

1. A financial contribution of £32,312 towards provision of affordable housing in the District.

APPROVE

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out other than in accordance with the approved plans listed below:  
  
18.136/10 Rev B, 18.136.14 Rev B, 18.136/09 Rev B, 18.136/11 Rev B, 18.136/12 Rev B, 18.136/13 Rev B, 18.136/15, 18.136/06, 18.136/07, 18.136/08, 18.136/14, 18.136/16, 18.136/17 and 18.136/05.
- 3 Details of all external facing and roofing materials including windows and doors for use in construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to first use of the materials. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
- 4 The building/enclosure housing the bins at the site as indicated on Drawing No. 18.136/15 shall be completed prior to first occupation at the site in accordance with the details as agreed and retained in the approved form in perpetuity. Details including plans and materials for use in the external construction of the bin store shall have been submitted to and agreed in writing by the Local Planning Authority prior to construction of the store.
- 5 The cycle store at the site as indicated on Drawing No. 18.136/15 shall be completed prior to first occupation at the site in accordance with the details as agreed and retained in the approved form in perpetuity. Details including plans and materials for use in the external construction of the cycle store shall have been submitted to and agreed in writing by the Local Planning Authority prior to construction of the store.
- 6 Prior to first occupation at the site, details shall have been submitted to and agreed in writing by the Local Planning Authority to secure at least 10 percent of the energy from decentralised and renewable or low-carbon sources unless this is not feasible or viable in which case details to demonstrate this shall be submitted and agreed. The development shall be implemented in accordance with the details as agreed with implementation prior to first occupation.
- 7 No dwelling hereby approved shall be occupied until car parking spaces have been laid out within the site in accordance with the approved plans. Each space shall have a minimum dimension of 2.9m x 5.5m and there shall be a minimum distance of 6m between the rear of the parking bays. Thereafter, the parking bays shall be retained and not used for any purpose other than the parking of vehicles associated with the occupants of the buildings.

- 8 Prior to first occupation at the site, a scheme including details for the provision of visibility splays on both sides of the vehicular access to the car parking area as shown on Drawing Number 18.136/15, details of the junction with the highway, and the provision for dropped kerbs, together with an implementation timetable, shall have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and timetable and, thereafter retained.
- 9 Prior to first occupation of the dwellings hereby approved plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted, shall have been submitted to and agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:
- schedules of species, size, density and spacing of all trees (as required by condition 7), shrubs and hedgerows to be planted;
  - existing trees to be retained;
  - areas to be grass seeded or turfed;
  - paved or otherwise hard surfaced areas including details of permeable surface to the driveways or on-site drainage to prevent run-off onto the highway from the driveways;
  - existing and finished levels shown as contours with cross-sections if appropriate;
  - means of enclosure and other boundary treatments;
- shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.
- 10 There shall be no discharge of surface water from the development onto the Highway.
- 11 No unbound material shall be used in the surface treatment of the car parking areas.
- 12 Prior to first occupation of the proposed dwellings the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.



- 13 Part G (water efficiency) of the Building Regulations (2010) shall be met for the dwellings hereby approved and be permanently retained thereafter unless demonstrated to be not feasible or viable in which case details shall be submitted to and agreed by the LPA prior to first occupation.
- 14 Part L of the Building Regulations 2010 in respect of energy performance shall be met for the dwellings hereby approved unless demonstrated to be not feasible or viable in which case details shall be submitted to and agreed by the LPA prior to first occupation.
- 15 The car ports as shown on the approved drawing numbers 18.136/15 with access off the private road shall remain unenclosed in accordance with this approved plan in perpetuity.

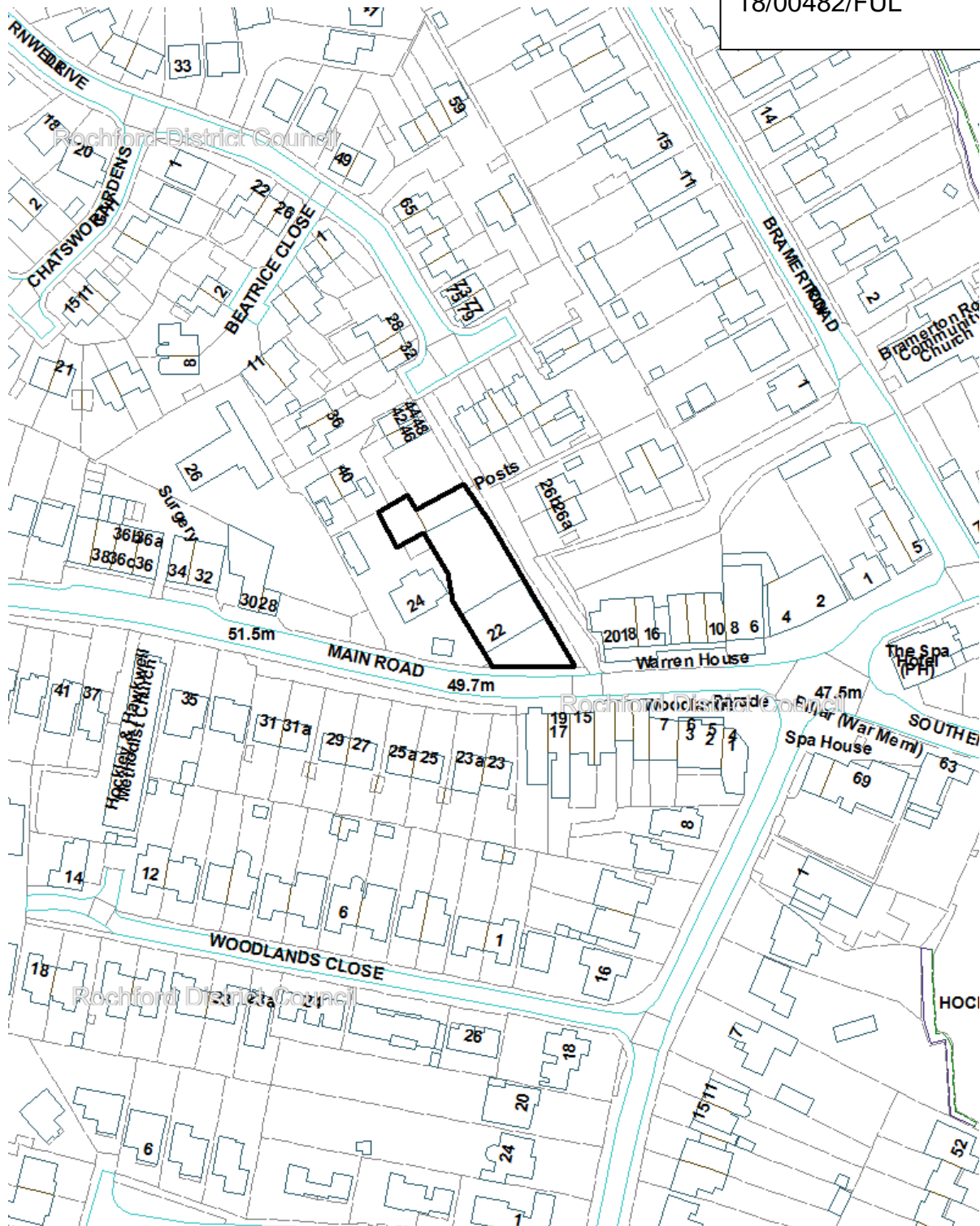
**Relevant Development Plan Policies and Proposals:**

Policies H1, H4, H5, H6, CP1, ENV4, ENV8, ENV9, CLT1, T1, T3, T6, T8, ED3, RTC1 and RTC6 of the Core Strategy 2011  
Policies DM1, DM2, DM3, DM4, DM25, DM27, DM30, DM34, DM35 of the Development Management Plan 2014  
Allocations Plan Policies Map 2014  
Hockley Area Action Plan (2014)  
Supplementary Planning Document 2  
Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010  
National Planning Policy Framework (NPPF)  
National Planning Practice Guidance  
Natural England Standing Advice

The local Ward Member(s) for the above application is/are Cllr A H Eves Cllr B T Hazlewood Cllr K H Hudson



18/00482/FUL



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