



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING SERVICES COMMITTEE 19th February 2004**

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

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

The above documents can be made available for inspection as Committee background papers at the office of Planning Services, Acacia House, East Street, Rochford.

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

PLANNING SERVICES COMMITTEE - 19 February 2004

Ward Members for Committee Items

ASHINGDON AND CANEWDON

Cllr Mrs T J Capon

Cllr T G Cutmore

ROCHFORD

Cllr Mrs S A Harper

Cllr Mrs M S Vince

Cllr D A Weir

SWEYNE PARK

Cllr G A Mockford

Cllr P K Savill

TRINITY

Cllr K A Gibbs

Cllr J E Grey

WHITEHOUSE

Cllr S P Smith

Cllr P F A Webster

PLANNING SERVICES COMMITTEE 19th February 2004

SCHEDULE ITEMS

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TITLE : **03/01115/FUL**
NON COMPLIANCE WITH CONDITION 2 OF PLANNING
PERMISSION ROC/100/67 (LIMITING THE YARD TO THE
STORAGE OF TIMBER
BALTIC WHARF, CREEKSEA FERRY ROAD
WALLASEA ISLAND

APPLICANT : **BALTIC DISTRIBUTION LTD**

ZONING : **WHARF WITHIN THE METROPOLITAN GREEN BELT**

PARISH: **CANEWDON PARISH COUNCIL**

WARD: **ASHINGDON AND CANEWDON**

PLANNING APPLICATION DETAILS

- 1.1 Full planning permission is sought for the continuation of use without compliance with a restrictive condition (No 2 of ROC/100/67) that sought to limit the use of the site to the storage of timber only. The applicant is currently using the site for the wholesale storage and distribution of paving products that have been received through/via the wharf. The application is retrospective and seeks a continuation of the business on this part of the site, which has been used for this purpose for the past two years.

RELEVANT PLANNING HISTORY

- 1.2 In 1967 planning permission was granted at appeal for the erection of two storage buildings and this was subject to Condition 2, which states that "...the site shall be used for the storage of timber in the open and in the buildings and for no other purpose..." This permission was implemented and remains valid today. A certificate of Lawful Use was issued in respect of the use of parts of the wider site for storage of both steel and timber in September 2001 (00/00388), although this does not relate to the site the subject of this application.

CONSULTATIONS AND REPRESENTATIONS

- 1.3 **Canewdon Parish Council** Objects to this planning application and are generally very concerned about the use of Baltic Wharf and the resulting increase in the number and size of vehicles using the roads in the area. Any goods that arrive or leave by boat, thereby using the wharf, are acceptable, but no other goods should be stored on site. Furthermore, such goods that are legitimately stored on site should be transported from the site for sale elsewhere. It is our understanding that the brick paviours currently stored on site do not arrive by boat but by road, which we consider unacceptable because of increased activity and traffic generated. We also understand that there are sales taking place from the site, further increasing the level of traffic generated.

- 1.4 **Head of Housing, Health and Community Care** No comments to make.
- 1.5 **Economic Development Officer** Supports the application and the diversification of the range of materials to be stored at the Baltic Wharf site in general; it would also help to support a rural business, and also help to foster the local economy.

MATERIAL PLANNING CONSIDERATIONS

- 1.6 **THE USE:-** In this instance the application seeks consent to continue the use that has been operating from the site for a number of years. The operation of the site for the storage of bulky goods/items is not materially at odds with the main use (long standing) of the site for the storage of bulk timber.
- 1.7 **LOCAL PLAN CONTEXT:-** The application forms part of a larger site that comprises part of the Baltic Wharf site as annotated within the Green Belt in the current First Review Local Plan. The site has been identified within the Draft Replacement Local Plan with a site specific employment policy within the Green Belt and as such each application will be judged on its own merit, having regard to the proposal's likely impact upon the character of the Green belt Coastal Protection Belt and Special Landscape Area.
- 1.8 **ASSESSMENT OF THE IMPLICATIONS OF THE PROPOSAL:-** The main thrust of the emerging policy is to support the wharf, but with only limited expansion, where it can be demonstrated that there is not any harm caused by the proposal. The application site relates to a small portion of the wharf site and is run independently from the remainder of the wharf as a separate business. The location of the site, the management and operation of the site and the fence details and existing tree and shrub cover around the boundaries of the site are such that the site would not be intrusive into the surrounding countryside. In addition, when seen against the backdrop of the remainder of the wharf site, it is considered that the continuation of this use would not have a material impact upon the character and or open-ness of the Green Belt.
- 1.9 **ECONOMIC ASSESSMENT:-** From an economic viewpoint it is considered that the retention of this business on the site would help to foster the local economy and also help to secure the continued operation of the wharf, which is an asset to the District. This view is endorsed by the Council's Economic Development officer.
- 1.10 **TRAFFIC:-** When assessed against the number of vehicles that can and could lawfully use this site, and the remainder of the wharf in relation to timber produce, it is considered that a refusal based on the impact upon the vehicle movements to and from the site could not be substantiated, particularly given recommended Condition No. 2.

CONCLUSION

- The principle of the use of the site for the storage of bulky items has been accepted by the earlier consent that restricted the storage to timber only. It is considered that the use, which is the subject of this application is not materially different from the earlier consent and that therefore a refusal based on the increase in activity, visual intrusion and or the use being out of character with the site and surroundings could not be justified.
- The nature of the use and the existing site features has resulted in a use that does not harm the surrounding countryside and does not materially affect the character and or open-ness of the Green Belt.
- Support for the use would help to support the continued operation of the wharf site as well as supporting the local economy.
- The wharf is an asset to the district and its long term continued use should be fostered.

RECOMMENDATION

1.11 It is proposed that this Committee **RESOLVES to APPROVE** the application, subject to the following conditions:

- 1 No materials, items or products shall be stored anywhere on the application site to a height greater than 4.5m above natural surrounding ground levels.
- 2 The site shall only be used for the wholesale storage and distribution of paving products transported by ship through the wharf complex (from the sea) and there shall not be any retailing direct to the public from any part of the site.

Relevant Development Plan Policies and Proposals

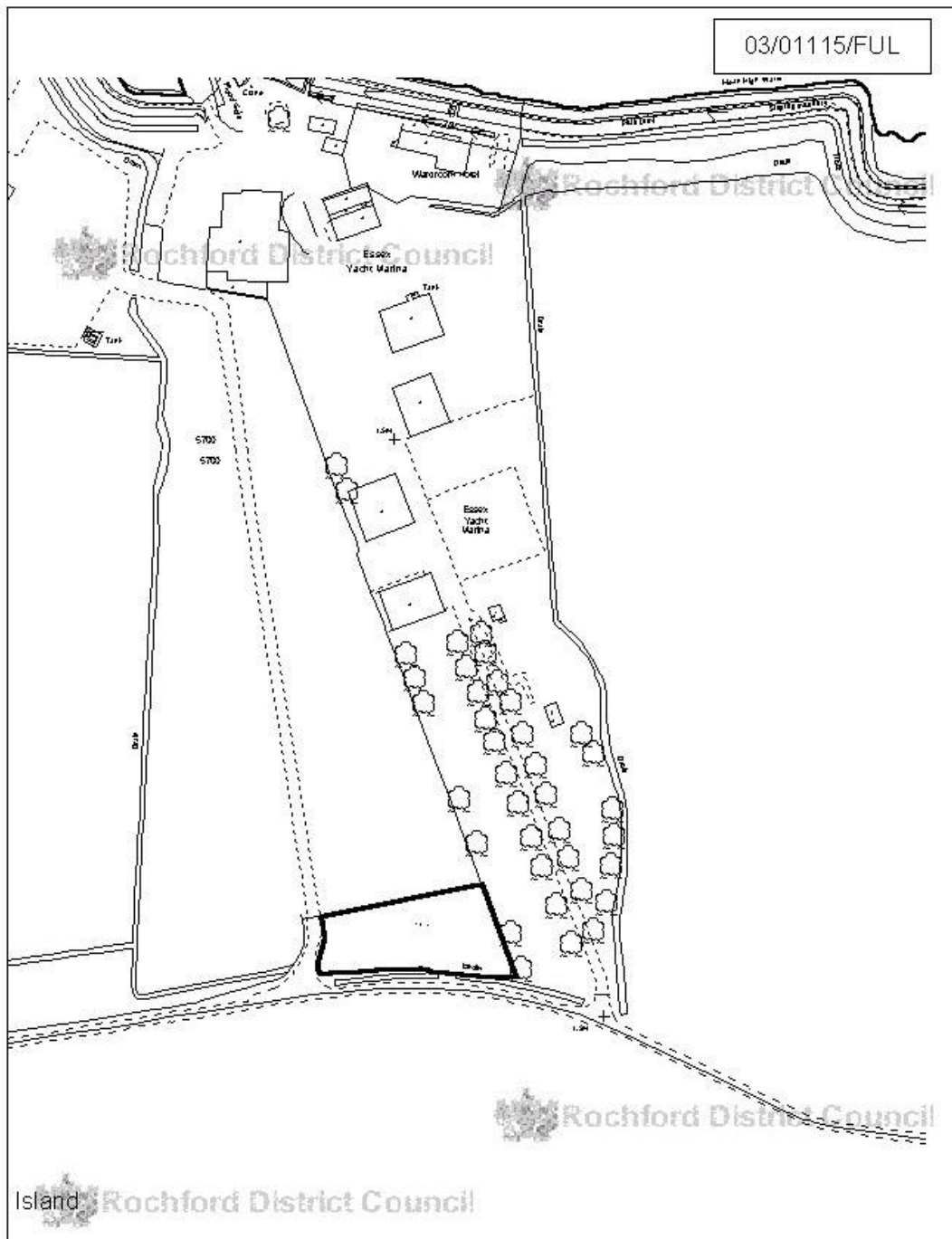
GB1, EB11 of the Rochford District Local Plan First Review

R1, of the Rochford Replacement Local Plan



Shaun Scrutton
Head of Planning Services

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



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NTS



TITLE : **03/00948/OUT**
ERECTION OF AGRICULTURAL WORKERS BUNGALOW
(OUTLINE APPLICATION)
RIVERSIDE NURSERIES LOWER ROAD HOCKLEY

APPLICANT : **RIVERSIDE NURSERY**

ZONING : **METROPOLITAN GREEN BELT, LANDSCAPE**
IMPROVEMENT AREA

PARISH: **ASHINGDON PARISH COUNCIL**

WARD: **ASHINGDON AND CANEWDON**

PLANNING APPLICATION DETAILS

- 2.1 This application seeks planning permission for the erection of an agricultural workers bungalow (outline application).

RELEVANT PLANNING HISTORY

00/00443/FUL Creation of a means of access onto a classified road. Permitted.

01/00622/FUL Extension of existing nursery and erection of poly tunnels. Permitted.

CONSULTATIONS AND REPRESENTATIONS

- 2.2 **Ashingdon Parish Council** – Objection. The building of the agricultural bungalow leads to doubts as to whether this is a method of circumventing planning laws to build a property for the owners or their families.
- 2.3 **County Surveyor (Highways)** – Advisory comments concerned with conditions to be attached regarding visibility splay, permanent materials, proximity of any gate to the highway.
- 2.4 **English Nature** – Advisory comments regarding the presence, if thought to be present, of protected species.
- 2.5 **Housing, Health and Community Care** – No adverse comments in respect of this application, subject to the Standard Informative SI16 (Control of Nuisances)
- 2.6 Two householder notification letters have been received objecting to the proposal. Concerns raised relate to activities on the wider site and are not explicitly concerned with the current application before Members. Essentially the case is being made that this is a Green Belt site.

MATERIAL PLANNING CONSIDERATIONS

- 2.7 The proposal seeks permission for an agricultural workers bungalow from which to manage the horticultural business it adjoins. The application is accompanied by an agricultural consultant's report, which supports the application. The Council's own agricultural consultant was commissioned independently to appraise the proposal.
- 2.8 Of relevance to consideration of this item is Planning Policy Guidance Note 7, and in particular Annex I (agricultural and Forestry Dwellings) which sets out criteria by which such applications are considered. The two tests to be applied are functional and financial. Planning Policy Guidance Note 2 (Green Belts) lists appropriate uses in the Green Belt of which horticulture is one.
- 2.9 The nursery business has been operated from part of the site since 1982. The applicant subsequently bought further land of which the application site forms part. In 2001 planning permission was obtained for new access and a new glass house, which was opened for retail business in April 2002. The business also operates another 2.5 acre nursery at Battlesbridge. Previous to the opening of the current site for retail custom the business was wholesale and retail through London markets.

Functional Need

- 2.10 Paragraph I6 (PPG7) gives examples where it might be necessary for workers to be on hand, day and night, to deal quickly with emergencies that could otherwise cause serious loss of crops or products, such as by frost damage or the failure of automatic systems.
- 2.11 It is during the winter months that most plants are bought-in and grown under cover, mainly in heated structures, partly to prevent frost damage, but also to ensure that growth continues so that sales can take place at the peak periods of demand leading up to Christmas and in the spring. An artificial environment is provided in the heated structures.
- 2.12 Heat is provided by oil-fired air heaters, which keep the internal temperatures at around 10 degrees during the winter by means of thermostats. The ventilation system, also thermostatically controlled by electricity, reacts to the change in temperature. In the event of breakdown or power failure immediate action is needed to stop the temperature falling significantly.
- 2.13 During the warmer months watering becomes very important and this has to start as early as 4am at times and must also be carried out late in the evening. Large delivery lorries arrive throughout the year, by ferry from Holland and often arrive very early in the morning, depending on the tide. The lorries have to park up on the road until someone can arrive to let them in to unload. This is also referred to in the responses received from neighbours.

Financial Need

- 2.14 The business has been established for over 20 years and has been growing steadily. The method of sale has changed with retailing from the site in addition to the wholesale business, but the basic methods of production have not altered, other than they have become more sophisticated and extensive of late. Profits are shown to be reasonably steady, with future prospects reported as excellent by the Council's consultant.

CONCLUSION

- 2.15 Riverside Nursery has been developed steadily over 20 years by the present owner, selling mainly through London wholesale markets. Recent investment has increased the production of tender plants as well as a wider range of hardy material and the business now retails a high proportion of the production from the premises, sales taking place throughout the year. The business is currently profitable, with a record of investment in expansion and new glass houses and has a record of reasonable profits, even before retailing commenced.
- 2.16 The Council's own consultant's report found that it was an essential functional need for a responsible person to be available at most times of the day and night to deal with emergencies of all types. This report confirms the findings of the applicant's consultant that a case is made out for a new residential dwelling on this site to serve the agricultural needs of the site.

RECOMMENDATION

- 2.17 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions
- 1 SC1 Reserved Matters - Standard
 - 2 SC3 Time Limit Outline - Standard
 - 3 SC14 Materials to be Used
 - 4 SC44 Agricultural Occupancy
 - 5 SC58 Landscape Design - Details (Reserved Matters)
 - 6 The bungalow hereby permitted, shall have a maximum of 140 sq.m of habitable floorspace.
 - 7 SC74 Driveways - Surface Finish

PLANNING SERVICES COMMITTEE - 19 February 2004 Item 2

Relevant Development Plan Policies and Proposals:

GB1, RC8 of the Rochford District Local Plan First Review



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For further information please contact Lee Walton on (01702) 546366.

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PLANNING SERVICES COMMITTEE - 19 February 2004 Item 3

TITLE : 03/01112/FUL
CONSTRUCTION OF 5 (NO.) 1 BED FLATS AND
NEIGHBOURHOOD OFFICE WITH NEW VEHICULAR
ACCESS
FORMER PLAYING FIELD TENDRING AVENUE, RAYLEIGH

APPLICANT : SWAN HOUSING ASSOCIATION LTD

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: SWEYNE PARK

SITE AREA: 660
square metres

PLANNING APPLICATION DETAILS

- 3.1 The application seeks approval for a two-storey building consisting of 5 no. one-bedroom flats and one no. neighbourhood office to be sited on a disused grassed area, together with parking and a new vehicular access off Tendring Avenue.

RELEVANT PLANNING HISTORY

- 3.2 **ROC/00794/76** Layout and construct estate road, footpath and sewers and erect 70 x 1 bed flats, 6 x 2 bed flats, 4 x 4 bed houses, 140 x 3 bed houses, 48 x 2 bed houses, 35 aged persons flat lets with accommodation for warden on land east of Little Wheatley Close and south of Hatfield Road, Rayleigh. **Permitted.**
The land subject of this application is identified as allotments and annotated future parking area containing 24 garages.
However, these plans for the site were never implemented and it has remained a disused grassed area.

CONSULTATIONS AND REPRESENTATIONS

- 3.3 **Parish Council** - does not object to the proposal, but is concerned that it could give rise to overlooking.
- 3.4 **English Nature** – Advisory comments: should protected species be thought to be present on the site.

3.5 Neighbours - 5 householder responses have been received objecting to the proposal in the main on the grounds of:

- Out of character with residential area
- Overlooking
- Loss of green space
- Space would be better utilised as extra parking for existing residents
- On street parking problems
- Over-development

MATERIAL PLANNING CONSIDERATIONS

3.6 The site is currently an over-grown grassed area littered with rubbish. Planning history ref: ROC/00794/76 identifies the site as allotments and annotated '*future parking area containing 24 garages*'. There is no information as to whether the parking was ever formally instituted on site. The application site is only accessible to the public through a narrow gap in the fence fronting Tendring Avenue.

3.7 The land is not of great aesthetic value and does not appear to be a particularly pleasant or welcoming public amenity space.

The site

3.8 The site is currently enclosed by a two-metre high fence, while the land slopes gently down to the west of the site such that the dwellings to the west of the proposal are at a lower level. The level of the land is not significantly lower as to give the proposal an overbearing presence over the neighbouring dwellings, or to adversely affect the amount of light from reaching these houses. There are no proposed windows on the west elevation of the flats. The existing trees marked on the proposal contribute nominal screening between the proposal and existing houses to the north.

The building

3.9 The two-storey proposal is not out of character within the locality, which consists of two-storey semi-detached and terraced houses. In terms of policy considerations the proposal meets garden amenity requirements, and the '45 degree rule'. Issues of overlooking and privacy are also addressed. A parking standard of 1 car park space per unit is achieved.

- 3.10 The proposal is backland development, however, the building to building distances to the north compare with other examples in the area and the arrangement to the south, a side to rear relationship is considered acceptable with controlled fenestration. The development is also consistent with the existing patchwork nature of the existing pattern of development. The original drawings identified a number of openings at first floor level that would have infringed these requirements and the applicant has provided revised drawings to overcome any concerns. Overlooking has been minimised through the internal zoning of the flats. Kitchen windows on the rear that could overlook the rear of dwellings to the south have been designed to be obscure glazed and non-opening below 1.7m to minimise any impact from overlooking on neighbouring properties.
- 3.11 South facing bedrooms will contain obscure glazed windows capable of not being opened below a height of 1.7 metres. Internal changes to the siting of bedroom doors nearer the stair head is proposed. The alterations are requirements necessary to accord with Building Regulations. There are no windows on the west or east elevations.

Access

- 3.12 The proposed access off Tendring Avenue is sandwiched between the driveways of 16 and 18 Tendring Avenue. The space between the two driveways is 4.26 metres. To avoid a situation whereby the two driveways and the access road merge into one driveway, the access should be clearly differentiated with bollards or low railings, and a condition is proposed to deal with this matter.

Parking

- 3.13 The six car parking spaces include one designated as a 'disabled parking bay'. The spaces proposed are adequate for flats of this size in a sub-urban location. There is ample shared amenity space to the rear, with ramps ensuring equality of access to it.

CONCLUSION

- 3.14 The two-storey development would not have an overbearing presence on the neighbourhood, having a common height normal to two storey dwellings. Orientation of the flats and their fenestration, together with the internal zoning of the units, has minimised the overlooking and impact of the development on the neighbouring dwellings, in accordance with policy requirements.

RECOMMENDATION

- 3.15 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the conditions set out below:
- 1 SC4 Time Limits
 - 2 SC14 Materials to be used (externally)
 - 3 SC22 PD Restricted – Windows
 - 4 SC23 PD Restricted – Obscure Glazing
 - 5 SC50 Means of Enclosure – Full (including PD restriction) (modified to apply to 'new retaining wall and fence' at the entrance to site)
 - 6 SC66 Pedestrian Visibility Splays
 - 7 SC68 Vehicular Access - Details
 - 8 SC80 Car parking provision
 - 9 SC84 Slab Levels Specified

Relevant Development Plan Policies and Proposals:

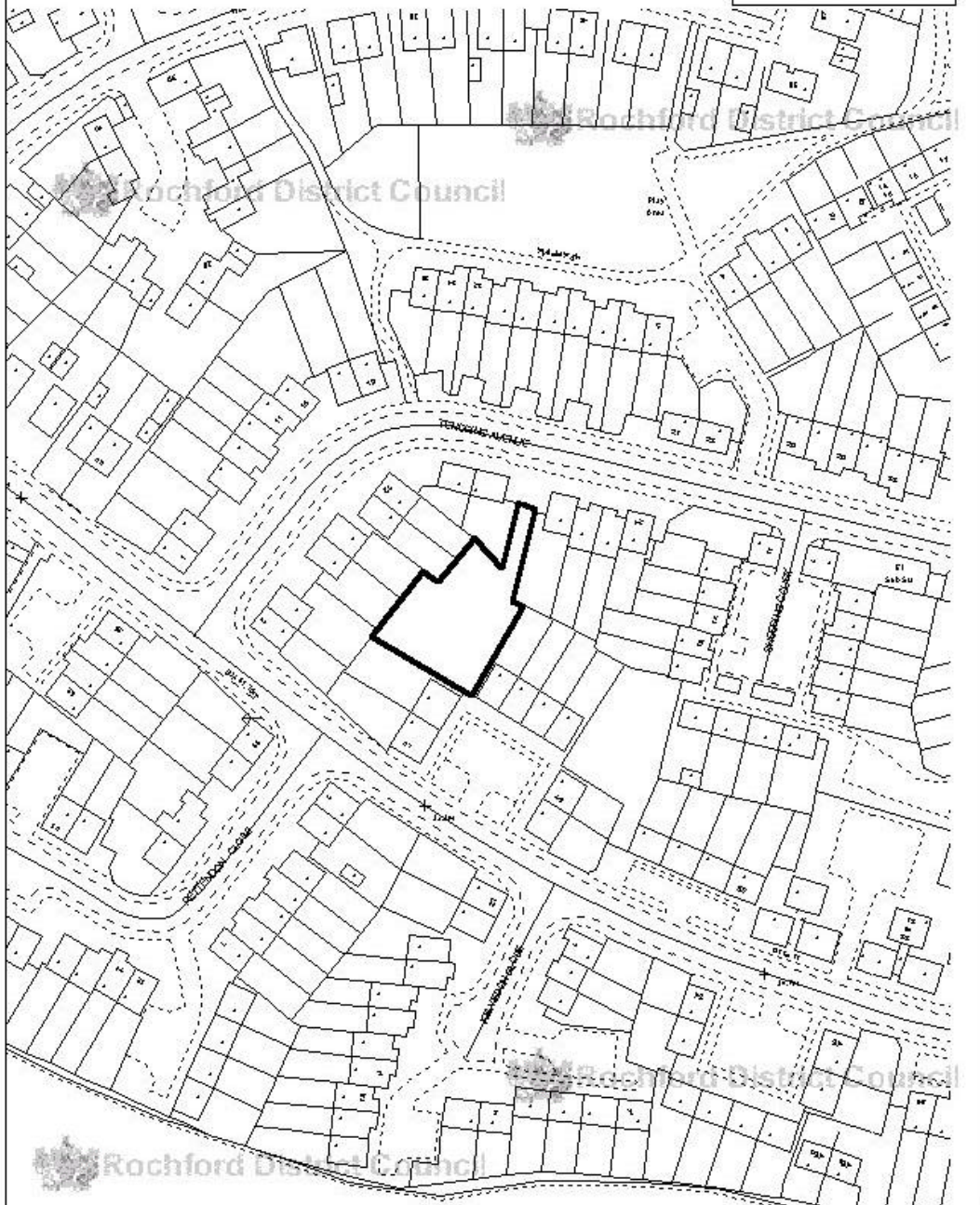
H16 of the Rochford District Local Plan First Review



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03/01112/FUL



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NTS



TITLE : **03/01119/FUL
CONSTRUCTION OF 1 NO. 4-BED FLAT, 2 NO. 2-BED
FLATS
LAND ADJACENT 49 BARDFIELD WAY RAYLEIGH**

APPLICANT : **SWAN HOUSING ASSOCIATION**

ZONING : **RESIDENTIAL**

PARISH: **RAYLEIGH TOWN COUNCIL**

WARD: **SWEYNE PARK**

PLANNING APPLICATION DETAILS

- 4.1 The application seeks permission for a two storey building consisting of one no. 4 bedroom flat and two no. 2 bedroom flats in a residential area.

RELEVANT PLANNING HISTORY

ROC/794/76 Layout and construct estate road, footpath and sewers and erect 70 x 1-bed flats, 6 x 2-bed flats, 4 x 4-bed houses, 140 x 3-bed houses, 48 x 2-bed houses, 35 aged persons flat lets with accommodation for warden on land east of Little Wheatley Close and south of Hatfield Road, Rayleigh **Permitted**.

The land subject of this application is identified as allotments and annotated future parking area containing 13 garages.

- 4.2 However, these plans for the site were not complemented and it has remained as a disused grassed area.

CONSULTATIONS AND REPRESENTATIONS

- 4.3 **Rayleigh Town Council:** do not object, but have reservations that the proposal may give rise to overlooking.
- 4.4 **Rayleigh Civic Society:** consider it important that the colour and texture of the bricks should match those of surrounding properties.
- 4.5 **English Nature:** not likely to affect a Site of Special Scientific Interest.

MATERIAL PLANNING CONSIDERATIONS

- 4.6 This application seeks permission for a two storey building consisting of one no. 4 bedroom flat and two no. 2 bed flats. The proposal is located in a residential area consisting of a mixture of terraced and semi-detached two storey houses and forms a disused grassed area to the north of 49 Bardfield Way. A two metre high fence surrounds the perimeter of the site.
- 4.7 The site is identified under Ref: ROC/00794/76 as allotments and as a future parking area containing 13 garages. There is no record of the proposed garages being implemented and there are presently no allotments to be seen on the disused land.
- 4.8 The two storey proposal does not breach the '45 degree rule' and would not have a detrimental impact on the amount of light reaching front and rear windows of neighbouring dwellings. Garden amenity space is acceptable.
- 4.9 The land slopes gently to the north and west resulting in the neighbouring dwellings in these directions being situated on a lower elevation. This, however, is not to the extent that the impact of the proposal would be overbearing or reduces the amount of daylight these neighbouring dwellings receive.
- 4.10 The proposal is back land development, however, it is not tandem development and fits in with the patchwork nature of the existing pattern of development. The proposal is orientated in such a way that front and rear windows do not directly face rear and front windows of neighbouring properties. Overlooking has been minimised through the internal zoning of the flats so that the rooms with the greatest potential for overlooking are not habitable rooms, and by obscure glazing control.
- 4.11 Although the application states that no felling of trees is proposed there is presently a tree in the middle of the proposed driveway. The tree is small to medium size and offers very little amenity value.

Access and Parking

- 4.12 Access is from Bardfield Way and runs adjacent to the rear garden of 47 Tendring Avenue and the west elevation of 45 Bardfield Way. Low fencing or bollards to differentiate the access from those adjoining nearest the highway would enhance safety.
- 4.13 The flats are served by 4 on-site parking spaces that provide adequate parking for the sub-urban flats, with 2 for the 4 bedroom flat and one per 2 bedroom flat.

CONCLUSION

- 4.14 The two storey development would not have an overbearing presence on the neighbourhood having a height normal with two storey dwellings. The internal zoning, positioning of fenestration and orientation of the proposal has minimised the overlooking and impact of the development on the neighbouring dwellings.

RECOMMENDATION

- 4.15 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the conditions set out below:

- 1 SC4 Time Limits
- 2 SC14 Materials to be Used (Externally)
- 3 SC22 PD Restricted - Windows
- 4 SC23 PD Restricted - Obscure Glazing
- 5 A means of enclosure shall be provided between the vehicular access and the boundary to the communal area in front of No. 53 Bardfield Way. Details of such enclosure shall be submitted to and agreed in writing by the Local Planning Authority. Such details as agreed shall be erected prior to the occupation of the flats being first occupied and thereafter retained in the approved form.
- 6 SC66 Pedestrian Visibility Splays
- 7 SC68 Vehicular Access - Details
- 8 SC80 Car Parking Provision
- 9 SC84 Slab Levels Specified

Relevant Development Plan Policies and Proposals

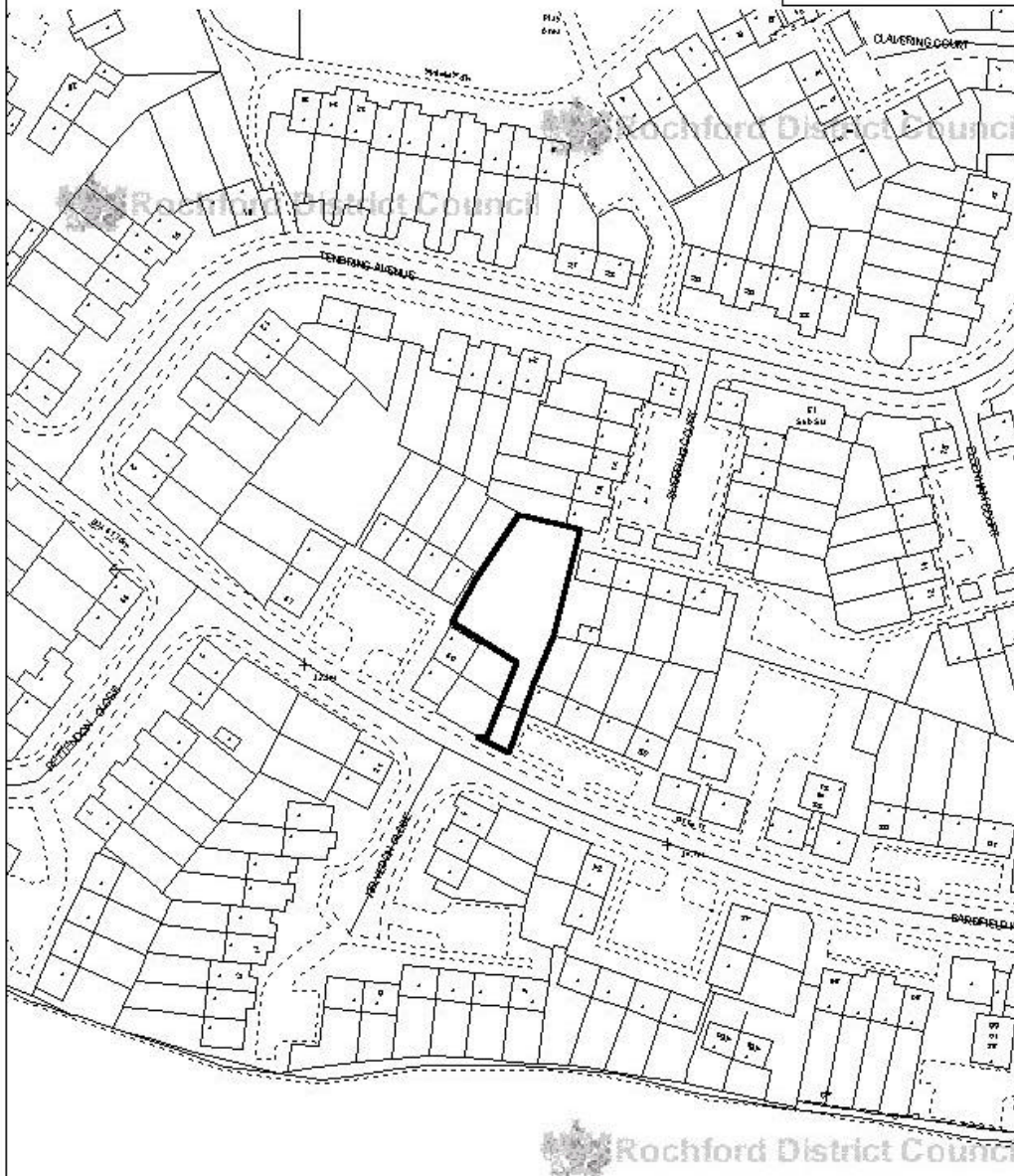
H16 of the Rochford District Local Plan First Review



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03/01119/FUL



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NTS



TITLE : **03/01080/CON**
DEMOLITION OF EXISTING PUBLIC TOILET BUILDING
PUBLIC CONVENIENCES OLD SHIP LANE ROCHFORD

APPLICANT : **ROCHFORD DISTRICT COUNCIL**

ZONING : **EXISTING PARKING IN A RESIDENTIAL AREA**
(CONSERVATION AREA, HISTORIC CORE)

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHFORD**

PLANNING APPLICATION DETAILS

- 5.1 This application seeks permission to demolish the existing toilet block in Old Ship Lane. The applicant being the District Council, its recommendation will be forwarded to the Secretary of State for his determination in accordance with the provisions of Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulations 12 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.
- 5.2 A separate planning application is considered concurrently under ref: 03/01081/FUL.

RELEVANT PLANNING HISTORY

- 5.3 There is no planning history for the site.

CONSULTATIONS AND REPRESENTATIONS

- 5.4 **Rochford Parish Council** – No objection but would ask that the demolition is dealt with carefully and speedily, with no loose materials left on site, as this could have crime and disorder implications.
- 5.5 **County Planner (Historic Conservation)** – This building has little architectural merit. I do not object to its removal in principle. Its demolition will create an even larger gap in the streetscape. It seems a wasted opportunity to enhance the conservation area and, as such, I could not recommend consent.
- 5.6 **Housing, Health and Community Care** – No adverse comments.
- 5.7 **County Planner (Archaeology)** – No archaeological recommendations.
- 5.8 **County Surveyor (Highways)** – De Minimis.

MATERIAL PLANNING CONSIDERATIONS

- 5.9 The proposal is made following closure of the public toilets, which have no architectural merit in themselves, although they contribute to enclosure of the street scene.
- 5.10 Removal of the toilet block opens up the adjacent area to enlarge the existing surface car park. The effect is a much larger and more open area. The erosion of individual elevations and the opening up of Old Ship Lane is undesirable.
- 5.11 Officers requested some form of enclosure along Old Ship Lane to replace the toilet block. It was suggested that this might take the form of a brick wall and railings, not dissimilar to the example adjacent to the toilet block in Back Lane. This would address the remarks made by the Council's conservation advisor while avoiding the total closing off of views, which would also address concerns raised locally about crime and disorder at this site.

CONCLUSION

- 5.12 A suitable scheme to enclose the street scene while retaining views across the site is desirable to address the conservation requirements while meeting the challenges presented by the crime and disorder identified at this site.

RECOMMENDATION

- 5.13 It is proposed that this Committee **RESOLVES** to **NOTIFY THE SECRETARY OF STATE** of its recommendation to **APPROVE** the application, subject to the following conditions:
- 1 SC4 Time Limit Full - Standard
 - 2 Prior to demolition of the toilet block details of the form of enclosure with iron railings to Old Ship Lane shall be submitted to and agreed in writing by the Local Planning Authority. The agreed enclosure details shall be constructed and thereafter retained as approved.
 - 3 Pursuant to Condition 2 above the demolition of the toilet block shall only take place to coincide with the development being commenced or on dates otherwise agreed in writing by the Local Planning Authority.

Relevant Development Plan Policies and Proposals:

UC2 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

For further information please contact Lee Walton on (01702) 546366.

[illegible]

TITLE : **03/01081/FUL
EXTENSION OF PUBLIC CAR PARK (DEMOLITION OF
TOILET BLOCK)
PUBLIC CONVENIENCES OLD SHIP LANE ROCHFORD**

APPLICANT : **ROCHFORD DISTRICT COUNCIL**

ZONING : **EXISTING PARKING IN A RESIDENTIAL AREA
(CONSERVATION AREA, HISTORIC CORE)**

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHFORD**

PLANNING APPLICATION DETAILS

- 6.1 This application seeks permission to extend the public car park in Old Ship Lane, following demolition of the existing toilet block.
- 6.2 A separate application for Conservation Area Consent is considered concurrently under ref: 03/01080/CON.

RELEVANT PLANNING HISTORY

- 6.3 There is no planning history.

CONSULTATIONS AND REPRESENTATIONS

- 6.4 **Rochford Parish Council** – No objection but would ask that the demolition is dealt with carefully and speedily, with no loose materials left on site, as this could have crime and disorder implications.
- 6.5 **County Planner (Historic Conservation)** – This building has little architectural merit. I do not object to its removal in principle. Its demolition will create an even larger gap in the streetscape. It seems a wasted opportunity to enhance the conservation area and, as such, I could not recommend consent.
- 6.6 **Housing, Health and Community Care** – No adverse comments.
- 6.7 **County Planner (Archaeology)** – No archaeological recommendations.
- 6.8 **County Surveyor (Highways)** – De Minimis.

MATERIAL PLANNING CONSIDERATIONS

- 6.9 The proposal is for the extension of the existing surface car park following demolition of the redundant toilet block. The area is proposed to be surfaced to match existing and will provide an additional two car parking spaces and bicycle stands. Following concerns raised by the Council's conservation advisor, officers have requested a form of enclosure between Old Ship Lane and the car park, suggested to be railings 1.8 metres in height or brick wall and railings. The railings element retains views across the site while acting to enclose the street scene, thereby also addressing local concerns about crime and disorder at this site.

CONCLUSION

- 6.10 A suitable scheme to enclose the street scene while retaining views across the site is desirable to address the conservation requirements while meeting the challenges presented by the crime and disorder issues identified at this site.

RECOMMENDATION

- 6.11 It is proposed that this Committee **RESOLVES** to **NOTIFY THE SECRETARY OF STATE** of its recommendation to **APPROVE** the application, subject to the following conditions:
- 1 SC4 Time Limits Full - Standard
 - 2 Prior to demolition of the toilet block details of the form of enclosure with iron railings to Old Ship Lane shall be submitted to and agreed in writing by the Local Planning Authority. The agreed enclosure details shall be constructed and thereafter retained as approved.
 - 3 Pursuant to Condition 2 above the demolition of the toilet block shall only take place to coincide with the development being commenced or on dates otherwise agreed in writing by the Local Planning Authority.

Relevant Development Plan Policies and Proposals:

UC2 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

For further information please contact Lee Walton on (01702) 546366.

[illegible]

TITLE : **03/01116/FUL**
ERECT A TWO STOREY BUILDING TO ACCOMMODATE 2 X
1 BEDROOM FLATS WITH CAR PARKING AND AMENITY
SPACE
LAND ADJACENT TO 43 WARWICK DRIVE ROCHFORD

APPLICANT : **SWAN HOUSING ASSOCIATION**

ZONING : **RESIDENTIAL**

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHFORD**

SITE AND SURROUNDING AREA

- 7.1 The application site relates to an irregular shaped site to the rear of properties in Warwick Drive. The site has direct access onto Warwick Drive, and there are no significant change of levels across the site. The surrounding properties are characterised by two storey properties.

PLANNING APPLICATION DETAILS

- 7.2 Full planning permission is sought for the redevelopment of the site to erect a two storey building with pitched roof over to accommodate two one-bedroom self contained flats.
- 7.3 **ACCESS & CAR PARKING:-** Access to the plot and the flats will be directly off Warwick Drive to the front of the site. To the front of the site are four off street car-parking spaces.
- 7.4 **LAYOUT EXTERNAL AND INTERNAL :-** The proposed building is to be located towards the front of the rear portion of the site with the main elevations facing onto the properties in Warwick Drive and the open countryside to the rear of the plot. The scheme proposes amenity space to the front, rear and side of the new building.
- 7.5 The internal layout of the proposed building has the main access to each flat being through an independent access at the front of the property. Both of the flats are fully self contained with separate kitchens, bathrooms, living and bedrooms.
- 7.6 **ELEVATIONAL TREATMENT (WINDOW AND DOOR OPENINGS):-** The scheme proposes non habitable room windows and doors to the front of the property. The main habitable room windows face to the flank and side of the property.

- 7.7 **FLOOD RISK:-** The application site is located within an area identified as at risk of tidal flooding. The application is accompanied by a flood risk assessment that identifies the potential risk to life and property through/by flooding, and due to the construction of the property including finished floor levels above the predicted flood level; the report concludes that the risk has been mitigated to an acceptable level.

RELEVANT PLANNING HISTORY

- 7.8 No relevant planning history.

CONSULTATIONS AND REPRESENTATIONS

- 7.9 **Essex County Council Highways Officer:-** The proposals would have a de-minimus impact upon the local highway network.
- 7.10 **Buildings and Technical Support -** No Objections.

MATERIAL PLANNING CONSIDERATIONS

- 7.11 **Principle:-** The application site is located within the defined residential boundary and as such the redevelopment of the site for residential purposes would be in accordance with Government advice and development plan policy.
- 7.12 The site is currently a parcel of land that had been left open when the estate and properties in the area were originally laid out, its loss would not be contrary to development plan policies nor would its loss be harmful to the appearance of the area to such a significant degree so that a refusal could be substantiated.
- 7.13 This proposal would increase the density of this site and the area in general. The increase in density by two new self-contained units on the site would be in accordance with Government advice and local plan policy that seeks to maximise the use of developable land within residential areas.
- 7.14 The proposal seeks approval for two one-bedroom self contained flats. This form of residential accommodation is not prevalent within the immediate vicinity of the site, however the application does add to the range of more affordable residential units within the locality, and would go some way to meeting the identified housing need for the district and would further increase the range of accommodation provided.
- 7.15 The flood risk assessment that accompanies the application concludes that the risk of flooding in the area does not place a prohibition on the development of the plot and that due to the construction techniques including finished floor level above the predicted flood level and the remote possibility of the area flooding and that the site is located within an already well populated area then a refusal based on flood risk could not be substantiated.

- 7.16 **Design and Appearance:-** The proposed new building has the external appearance of being a detached dwelling house and as such would not be out of character with the predominant character of the surrounding area, nor would it result in a form of development that would be visually intrusive into the street scene.
- 7.17 The location of the property is to the rear of the existing properties in Warwick Drive and in one sense it could be assessed as 'back-land' development, however this proposal does have direct access onto Warwick Drive and the scenario/precedent for development deep into the plots has previously been accepted by the development of the adjacent properties.
- 7.18 The application proposal is, however, closer to the rear of the existing properties in Warwick Drive than the neighbouring properties. In this instance it is considered acceptable as the design and internal layout of the proposal does not have any habitable room windows in the front elevation overlooking the neighbouring plots. The proposal is therefore considered to be acceptable in terms of its impact upon the amenities of the occupiers of the adjacent residential properties/plots.
- 7.19 **Amenity Space and Car Parking :-** The scheme proposes amenity space and car parking in excess of the standards contained within the development plan. This in this instance is considered to be acceptable given the site constraints and the desire to locate the new building at its furthest point from the source of flooding.

CONCLUSION

- Principle is acceptable and is in accordance with the development plan and Government advice on the development sites within built up areas of the district.
- Design and appearance acceptable and would not result in a development that is visually intrusive nor materially out of character with the prevailing pattern of development within the locality.
- The scheme has been designed to overcome and mitigate the direct overlooking into adjacent plots/properties.
- The scheme proposes a form of development that results in excess amenity space and car parking. Due to the site constraints this in this instance is considered to be acceptable.

RECOMMENDATION

- 7.20 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:
- 1 SC4 Time Limits
 - 2 SC14 Materials to be Used
 - 3 SC58 Means of Enclosure
 - 4 SC59 Landscaping Design Details - Full
 - 5 SC79 Car Parking - Delineated

PLANNING SERVICES COMMITTEE - 19 February 2004 Item 7

- 6 SC83 Site Levels
- 7 SC84 Slab Levels Specified
- 8 SC22 PD Restricted Windows
- 9 SC23 PD Restricted OBS Glazing

Relevant Development Plan Policies and Proposals:

H11 of the Rochford District Local Plan First Review

NR12 of the Essex and Southend-on-Sea Replacement Structure Plan.



Shaun Scrutton
Head of Planning Services

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

03/01116/FUL



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TITLE : **03/01117/FUL**
ERECTION OF TWO STOREY BUILDING TO
ACCOMMODATE 4 X 1 BEDROOM FLATS
LAND ADJACENT TO 14 HAMBRO CLOSE, RAYLEIGH

APPLICANT : **SWAN HOUSING ASSOCIATION LTD**

ZONING : **RESIDENTIAL**

PARISH: **RAYLEIGH TOWN COUNCIL**

WARD: **TRINITY**

SITE AND SURROUNDING AREA

- 8.1 The application site relates to a rectangular parcel of amenity land that is located on the northern side of Hambro Close. The plot is currently grassed with one tree towards the front of the site, there is a change of levels from the back to the front and also from side to side of the plot. The plot is bounded on all sides by footpaths that provide access to the neighbouring plot.
- 8.2 The adjacent plots on the northern side of Hambro Close are 'back to front' with the rear gardens facing Hambro Close and their fronts facing over the open countryside to the north. To the eastern and western end of Hambro Close are areas of hard surfacing that are used for informal off-street car parking; there is also quite a high level of on-street parking within Hambro Close itself.

PLANNING APPLICATION DETAILS

- 8.3 Full planning permission is sought for the erection of a two storey building with pitched roof over to accommodate four self contained, one bedroom flats.
- 8.4 **SIZE OF BUILDING** The building is to be located within the central portion of the site and measures 10.6m wide by an overall ground floor depth of 12.5m. The new building is to be topped by a pitched roof with the height to the ridge of the main pitched roof being 8m.
- 8.5 **LAYOUT** The ground floor layout proposes two self contained flats. The layout comprises a living/dining room and kitchen to the front of the property facing Hambro Close - the access is from each side of the property. To the rear of the property is one bedroom and the entrance to the first floor flats through two separate access door/hallways.
- 8.6 **AMENITY SPACE** Each of the four flats has direct access onto a parcel of private amenity space. A total 72 sqm of amenity space is provided for the four flats.

- 8.7 **OFF STREET CAR PARKING** Five off street car parking spaces are proposed to the front of the site with direct access onto Hambro Close. This level of car parking provision relates to one space per flat and one visitor space.
- 8.8 **PEDESTRIAN ACCESS** The scheme proposes the retention of the footpaths that bound the application so that the pedestrian access to the site and to the neighbouring plots is maintained.

RELEVANT PLANNING HISTORY

- 8.9 No relevant planning history.

CONSULTATIONS AND REPRESENTATIONS

- 8.10 **Rayleigh Town Council** No objections to this planning application.
- 8.11 **The Environment Agency** Comment that the site is within 250m of a known landfill site.
- 8.12 **Rayleigh Civic Society** No comments to make
- 8.13 Letters from four local residents:- Only parcel of green space within the close and the only area for the children to play, some distance to the closest playing fields, the children playing on this space helps to bring them together; too large and imposing for the plot, out of keeping with the area; may give rise to an area/development to which youth may choose to congregate; overlooking from the property into neighbouring plots; overshadowing; no control or supervision of tenants; single persons flats in an area of privately owned family accommodation may cause some problems; impossible parking in the Close itself; would lead to an increase in parking in the area and the conflict between the users of the new flats and the parking spaces of the existing residents; the building line is different from others in the street; will the street lighting be improved/replaced; loss of tree, railings out of character; the gardens need to be maintained and those on the northern elevation will be unsuitable for most of the year, external materials appear not to be in keeping with the original properties; development will block the emergency access to the front of the properties on the north side of Hambro Close; drainage issues; the proximity of a substation; area used as an overflow car park for the residents of Hambro Close; at evenings and weekends the parking situation is acute, developing this site would place greater burden on car parking in the area.

MATERIAL PLANNING CONSIDERATIONS

- 8.14 **Principle:-** The application site is located within the defined residential boundary and as such the redevelopment of the site for residential purposes would be in accordance with Government advice and local policy.

- 8.15 The site is currently a parcel of land that had been left open when the estate was originally laid out; its loss would not be contrary to development plan policies, nor would its loss be harmful to the appearance of the area to such a significant degree so that a refusal could be substantiated. The tree that would be lost if the proposal goes ahead is not protected by a preservation order nor is it of high amenity value to require its retention within the scheme.
- 8.16 This proposal would increase the density of this site and the estate in general. The increase in density by four new self-contained units on the site would be in accordance with Government advice and local plan policy that seeks to maximise the use of developable land within residential areas.
- 8.17 The proposal seeks approval for a number of one bedroom self contained flats. This form of residential accommodation is not prevalent within the immediate vicinity of the site, however the application does add to the range of more affordable residential units within the locality. The scheme would go some way to meeting the identified housing need for the district and would further increase the range of accommodation provided.
- 8.18 **Design and appearance:** - The design and external appearance of the new building is similar to one pair of semi detached dwellings. There are no external indications that flats are contained within the new building. The proposed external materials are acceptable and would not give rise to visual intrusion into the established street scene.
- 8.19 The footprint of the new building is located in advance of the established building line of the existing properties adjacent to the site. This is due in part to the properties that adjoin the site on the northern side of Hambro Close being 'back to front', with their rear gardens facing Hambro Close. The footprint of the properties on the site is considered to be acceptable and unlikely to result in any material loss of amenity to the occupiers of the adjacent properties, given the general compliance with the front building line and also the general compliance with the 45 degree lines from the rear elevations of the neighbouring properties. Noting that the 45 degree policy actually applies to extensions rather than new properties.
- 8.20 The scheme proposes a full two storey building hard up against the boundaries of the application site. In this instance as there remain 1m wide footpaths to both sides of the plot then a strict application of the 1m first floor side boundary policy is not applicable as the potential for the coalescence of adjacent properties is remote. The impact into the street scene remains acceptable.
- 8.21 **Amenity space:** - The scheme proposes four one-bed self contained flats and the adopted Local Plan Policy for amenity space provision indicates that two of the new residential units would require 50sq.m each to comply with, the first floor units having 5msq. balconies or a communal area of 100sq.m. The application proposes a total of 72sq m split roughly equally between the four flats. This level of amenity space provision is considered not to result in a form of development that would be visually intrusive into the street nor would be materially out of character with the predominant pattern of development in the area. The level of amenity space at the site is a result of the site constraints and the desire to maximize the potential for off street car parking.

- 8.22 **Car parking:-** Given the units are 1-bed flats, the site's location within the defined residential area and also in proximity to public transport links, a level of off-street parking of one space per unit is considered appropriate. The extra space provided in this instance is beneficial, given the desire to assist in alleviating the on-street parking pressure within Hambro Close.

CONCLUSION

- Principle is acceptable and is in accordance with the development plan and Government advice on the development sites within built up areas of the district.
- Design and appearance acceptable and would not result in a development that is visually intrusive nor materially out of character with the prevailing pattern of development within the locality.
- Amenity space is substandard. It is considered, however, that the level of provision in this instance is acceptable, given the desire to develop the site to meet an identified housing need and also assist in meeting the off street car parking provision at the site and also within Hambro Close itself.
- In this instance the car parking provision is acceptable.

RECOMMENDATION

- 8.23 It is proposed that this Committee **RESOLVES to APPROVE** the application, subject to the following conditions:

- 1 SC4 Time Limits Standard
- 2 SC14 Materials to be Used
- 3 SC58 Means of Enclosure
- 4 SC59 Landscaping Design - Details Full
- 5 SC79 Car Parking Delineated
- 6 SC83 Site Levels
- 7 SC84 Slab Levels Specified
- 8 SC23 PD Restricted OBS Glazing

Relevant Development Plan Policies and Proposals

H11 of the Rochford District Local Plan First Review

HP7, HP12, HP14 of the Replacement Local Plan



Shaun Scrutton
Head of Planning Services

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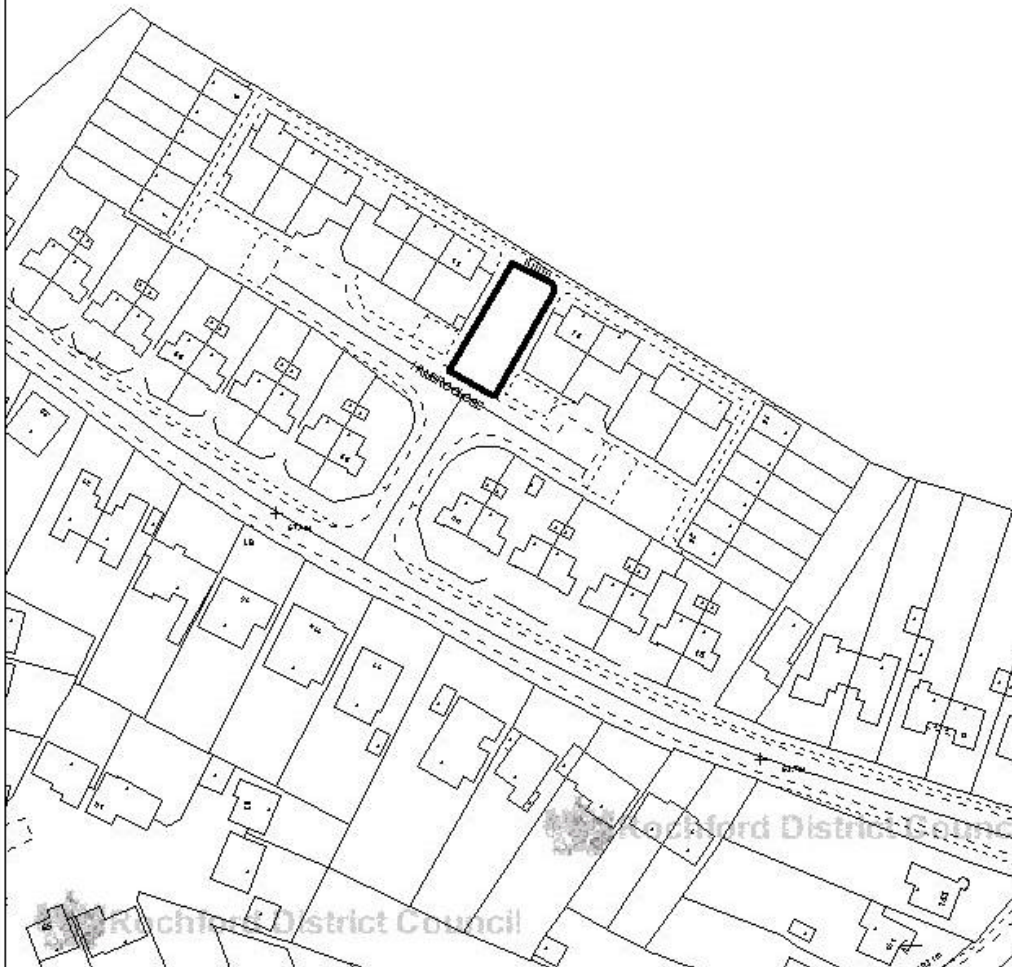
03/01117/FUL



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PLANNING SERVICES COMMITTEE - 19 February 2004 Item 9

TITLE : 03/01089/FUL
ALTERATIONS TO EXISTING BUILDING TO CREATE 8 NO
TWO BEDROOM SELF CONTAINED FLATS AND 14 NO ONE
BEDROOM SELF CONTAINED FLATS AND MODIFICATION
TO CAR PARK AND BOUNDARY TREATMENT
HARDWICK HOUSE, HARDWICK CLOSE, RAYLEIGH

APPLICANT : CROUDACE LTD

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHITEHOUSE

SITE AND SURROUNDING AREA

- 9.1 The application site relates to an existing two and single storey (essentially 'U' shaped) linked block that has been used as elderly persons accommodation. The 'U' shape of the existing building generally encloses a central courtyard area with further amenity areas to the north and east of the main building. The building is now vacant.
- 9.2 Immediately to the east of the site is a vacant parcel of land that is the subject of an application reported elsewhere on this agenda. Access to the site is directly off Hardwick Close which itself connects to Daws Heath Road. The properties in Hardwick Close are predominantly bungalows, whilst the properties in Daws Heath Road (south of the site) and Eastwood Road (north of the site) are predominantly two storey family dwelling houses.
- 9.3 There is a change of levels from both east to west and north to south across the site.

PLANNING APPLICATION DETAILS

- 9.4 This application should be read in conjunction with planning application reference 03/01024/FUL reported elsewhere on this agenda.
- 9.5 Full planning permission is sought for the conversion and alteration of an existing sheltered housing block into eight 2-bedroom and fourteen 1-bedroom self contained flats, namely 22 flats compared to the existing 35 units of sheltered accommodation plus warden and guest suites. It is intended that the newly created flats would be for key worker and general needs housing, with all nomination rights retained by Swan Housing Services, one of the Council's housing partners, and all of the units will be (and remain so) for rent.

- 9.6 The proposed new flats can be created without significant material alterations to the external features and fabric of the main building. The significant changes to the external façades of the building include the demolition of the existing conservatory and single storey canopy structure, creation of, enlarging of and the closure of various window/door openings around the building. Save for these generally cosmetic alterations, the fabric and scale of the main building remains unchanged.
- 9.7 The access to the site will remain directly from Hardwick Close, but the car parking areas are to be remodelled and extended to ensure one car parking space per unit.
- 9.8 To the rear of the existing eastern part of the building it is proposed to create an enclosed garden area of approximately 400sq.m.

RELEVANT PLANNING HISTORY

- 9.9 RAY/192/68 Permission was given for a sheltered building providing accommodation for 35 persons, along with warden and guest suites.
- 9.10 94/00168/FUL Conservatory Extension to Communal Lounge and Glazed Porch to Secondary Rear Entrance Granted 11.05.1994

CONSULTATIONS AND REPRESENTATIONS

- 9.11 **Rayleigh Town Council** No objection to this application but comment that the car parking provision does not comply with the Local Plan.
- 9.12 **Rayleigh Civic Society** No specific comment save for the potential for the retention of the conservatory; this would be an asset.
- 9.13 **Environment Agency** No objection..
- 9.14 **Buildings and Technical Support** No objections/observations.
- 9.15 **Head of Housing, Health and Community Care** No objections subject to conditions that limit dust emissions from the site and that the standard informative regulating the hours of construction be imposed on any permission.
- 9.16 **Essex County Council** No comment to date.

Letters received from local residents

- 9.17 Three letters from local residents have been received and make the following comments:-

- 9.18 The existing residents in Hardwick Close are elderly, very little traffic; quiet area to live; no public transport; increase in car parking causing noise and traffic and parking problems; Hardwick Close will become a car park; emergency vehicle access will be inhibited; devalue property values in the area; Hardwick House should have been left for the elderly; nowhere for the children to play; with the limited amount of parking available there is no scope for visitor parking off street; shared driveway to bungalows immediately to the south of the existing building may become compromised - these bungalows have utilised the part of the car park for Hardwick House over the years and the loss of this facility will give rise to conflict and also further on-street car parking in the vicinity of the site.

MATERIAL PLANNING CONSIDERATIONS

- 9.19 **PRINCIPLE:-** Given the site's location within a defined residential area within the Local Plan there is no objection to the continued use of the site for residential purposes. Any increase in intensity from elderly accommodation to self contained flats would accord with Government advice and development plan policies where there is a strong presumption to maximise the use of developable land within existing built up areas.
- 9.20 The provision of the scheme on this site would assist in meeting the identified need for this type of accommodation within the district as well as adding to the range of accommodation offered by one of the Council's key housing partners.
- 9.21 **MAIN BUILDING:-** As commented above, there are only very minor changes to the external fabric of the building and as such a refusal based on the visual intrusion of the development upon the character of the area cannot be justified.
- 9.22 **ACTIVITY:-** It is considered that conversion of the existing property into 22 self contained flats may increase the activity at and within the vicinity of the site over and above that created by the previous use. However, given the location of the site with direct vehicular access onto the existing highway network and with off-street car parking and amenity space at the site, a refusal based solely on the increase in activity at the site could not be substantiated.
- 9.23 Car parking has been increased on the site to provide one space per flat, including two specifically widened disabled spaces. This is considered to be an appropriate level of provision, in the light of the new standards to the Supplementary Planning Guidance attached to the emerging Local Plan, albeit that there is not a specific level of provision within it for such flat-ed accommodation.
- 9.24 In terms of amenity space there is an area dedicated to the east of the building and also the internal courtyard which is partly grassed and partly paved, which brings the level of provision to above the standard requirement.

- 9.25 In this unique scenario it is considered that a relaxed standard in terms of amenity space provision and car parking would be acceptable. For both elements if it is accepted that public transport is poor locally then the scheme would provide approximately 50% compliance with the development plan standards.

CONCLUSION

- The scheme is designed to assist in meeting the identified housing need in the District
- There are modest external alterations, so little impact upon the character and amenity of the area.
- A refusal based solely on the increase in activity at the site could not be substantiated, given its location, nature of use, with direct access to the local highway network, and with off street car parking and amenity space at the site.

RECOMMENDATION

- 9.26 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:

- 1 SC4 Time Limits
- 2 SC14 Materials to be used
- 3 SC58 Means of Enclosure
- 4 SC59 Landscape Design - Details Full
- 5 SC76 Car Parking

Relevant Development Plan Policies and Proposals

H11 of the Rochford District Local Plan First Review

HP7, HP12, HP14 of the Replacement Local Plan



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Head of Planning Services

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03/01089/FUL



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PLANNING SERVICES COMMITTEE - 19 February 2004 Item 10

TITLE : 03/01024/FUL
PROPOSED NEW TWO STOREY 30 NO FLATS FOR FRAIL ELDERLY SHELTERED HOUSING UNIT WITH PARKING AND AMENITY AREAS
LAND AT THE END OF DOBSONS CLOSE RAYLEIGH

APPLICANT : CROUDACE LTD

ZONING : PROPOSED RESIDENTIAL WITHIN THE ADOPTED LOCAL PLAN

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHITEHOUSE

SITE AND SURROUNDING AREA

- 10.1 The application site relates to a vacant parcel of land (formerly allotments) immediately east of Hardwick House and at the hammer head of Dobsons Close. The plot is currently overgrown. Save for Hardwick House, the surrounding properties are predominantly two storey and bungalow type dwellings.

PLANNING APPLICATION DETAILS

- 10.2 This application should be read in connection and conjunction with the planning application 03/01089/FUL reported elsewhere on this agenda.
- 10.3 Full planning permission is sought for the redevelopment of the site to create 28 one bedroom flats and 2 two bedroom flats for the frail elderly. In addition to the frail elderly accommodation, it is proposed to include one guest sleep over room and a 24 hour staff sleep over room, together with new access, car parking and a bin and wheelchair enclosure.
- 10.4 The application is accompanied by a supporting statement within which it comments that:-
- The building has been sponsored by Swan Housing Association in response to the needs of the local community for purpose built accommodation to house the frail elderly in a pleasant, secure environment.
 - the aim of the project is to provide quality housing with 24 hour care, enabling older people to live as independently as possible in their own homes.
 - As tenants become increasingly frail, services and support can be increased to meet the individuals' needs
 - The scheme has been designed to comply with the industry standard in terms of wheelchair accessibility

- There is to be no provision for persons with long term health or behavioural problems, where ongoing 24 hour nursing care/treatment is required.
- An ecological statement/study has been submitted that identifies that, due to the size and nature of the undeveloped site, further site surveys need to be undertaken at the appropriate times of the year. If these surveys identify the presence of protected species, appropriate mitigation measures will be implemented prior to development.

- 10.5 The 30 flats are to be arranged in a quadrangle set around a central courtyard amenity area. The courtyard area provides 244sq.m of amenity space in total, including the secure amenity area outside of the quadrangle providing 1309sq.m of space, which equates to approximately 44sq.m per unit although other space is also available within the site. The new building is to be a full two storey with pitched roof over on all four sides of the quadrangle. The quadrangle measures a maximum of 42m x 39m and due to a slight change of levels across the site the highest part of the building is proposed to be 9.5m. The external facades of the quadrangle building possess a general symmetrical appearance with modulation provided by projecting gable features and recessed walls, utilising contrast brick work and the window style and their placement.
- 10.6 The scheme proposes direct access from Dobsons Close to a car park court for 11 vehicles, 5 of these spaces can be made wheelchair accessible. Also within this car park court is a secure bin and wheelchair store measuring 4m x 9.5m x 3.8m to the height of the pitched roof over.

RELEVANT PLANNING HISTORY

- 10.7 The site has in the fairly recent past been used as Local Authority controlled allotment gardens.

CONSULTATIONS AND REPRESENTATIONS

- 10.8 **Rayleigh Town Council** Objects to the proposal as it is considered that the parking provision is inadequate for a complex in this out of town location.
- 10.9 **Rayleigh Civic Society** find the appearance of the development acceptable.
- 10.10 **The Environment Agency** Advises the applicant of sustainable drainage issues.
- 10.11 **The Essex Badger Group** Strongly recommend that the site is surveyed for the presence of protected species. Advise that some protected species can only be surveyed at certain times of the year, and that a licence may be required from English Nature prior to the development commencing.
- 10.12 **Buildings and Technical Support** No objections
- 10.13 **Building Control Manager** No comments

- 10.14 **Head of Housing, Health and Community Care** If permission is to be granted, request that a condition be imposed on dust emissions and details of mechanical equipment connected to the lift. They also recommend that the standard informative be imposed on times of construction and the burning of waste material on site.
- 10.15 **English Nature** - advise that if protected species are suspected or known to be on site then a study/survey of those species and any appropriate mitigation should be carried out and fully implemented prior to the commencement of the development .
- 10.16 **Urban Designer for Essex County Council** has offered some advice on the design and external appearance of the building.

MATERIAL PLANNING CONSIDERATIONS

- 10.17 **PRINCIPLE:-** The site is located within the residential area of Rayleigh and as such the redevelopment of the site for residential purposes would accord with Government advice and the policies of the Local Plan.
- 10.18 There is an identified local need for frail elderly accommodation within the district and the provision of the scheme on this site would assist in meeting that identified need as well as adding to the range of accommodation offered by one of the Council's key housing partners.
- 10.19 **THE BUILDING:-** As commented above, the new building is a full two storeys in height with pitched roof over, this would be in accordance with the character of the predominant pattern of development within the area. The courtyard style of the proposed building would result in its footprint/plot coverage and silhouette being significantly larger than the surrounding family dwelling houses, however it is considered that the scheme would not be too dissimilar from the adjacent Hardwick House property.
- 10.20 The proposed articulation and modulation of the façades and the use of different coloured bricks with contrast string courses and window arches and different roof pitches contribute to the reduction in the mass of the building.
- 10.21 In order to alleviate the need for ramps within the building, it is proposed to excavate the site and set the building into the ground in some parts of the site by up to two metres. This helps to reduce the mass of the building when viewed from the surrounding residential properties.
- 10.22 **AMENITIES OF THE AREA:-** As commented above, the building would not be materially out of character with the surrounding area.
- 10.23 It is considered that, given the distances to the rear of the properties in Eastwood Road and Daws Heath Road and the reduction in the levels of the plot in relation to these properties, a refusal based on the impact upon the amenities of these residents could not be justified.

- 10.24 The existing properties within Dobsons Close and the bungalows to the south side of Hardwick House are much closer to the proposed building, however due to the flank relationship to the properties in Dobsons Close, the distances involved and the acute angled views from the front of these properties a refusal on this issue could not be substantiated. The most affected properties are the bungalows to the south of the site and the future residents of Hardwick House. However, given the linked relationship between this site and Hardwick House, it is considered the relationship with Hardwick House is acceptable and that the outlook from the front of the bungalows being at an acute angle and of a distance of a minimum of 20m, together with a reduction in site levels means that a refusal based on the impacts of the proposal on the amenities of these properties could not be substantiated.
- 10.25 As with any construction scheme there is likely to be an inconvenience to the occupiers of the surrounding residences during the clearing of the site and the construction of the new building. A condition is proposed to deal with dust suppression and an informative relating to hours of work.
- 10.26 **ACCESS AND CAR PARKING:-** The proposed vehicular access to the site is directly from Dobsons Close and provides access to a car park court for 11 vehicles. This level of car parking complies with the standard available in the new Car Parking Standards in the supplementary planning guidance. The access and the level of car parking provision meets with the approval of the County Highways engineer. As this is the view of the Council's specialist adviser on this issue a refusal based on the highway implications of the proposal including the impacts that the proposal may have upon the existing parking situation within Dobsons Close could not be substantiated.
- 10.27 **PROTECTED ANIMALS:-** The Council do not have any records as to the presence of protected species on the site. However, the comments received by the Council's Woodlands and Environmentalist consultant is that due to the nature of the undeveloped site there may be protected species present on the site.
- 10.28 The environmental study/mitigation report accompanying the application has full and due regard to the obligations upon the landowner and upon the Council in determining the proposal with reference to the need for further survey work to be undertaken at the appropriate periods of the year. If any species are found, appropriate mitigation measures in accordance with a licence from the appropriate agency will be required.
- 10.29 The Council is satisfied that this approach is appropriate and meets the needs and requirements of any likely protected species on the site.

CONCLUSION

- There is an identified need for this type of accommodation within the district
- The principle of a sheltered scheme on this site within a defined residential area is acceptable.

- The design and external appearance of the proposed new building is appropriate to its setting and would not be harmful to the predominant character of the area.
- Due to the size and design of the building, its location being set into the ground and the distances and angles of sight over the site it is considered that the proposal would not have an adverse impact upon the amenities of the occupiers of the adjoining/nearby plots/properties.
- Access and car parking are acceptable and meet with the adopted standards of the Local Plan as well as satisfying the County Council Highways Engineers.
- Inconvenience during construction times will be short lived.
- Further work required to demonstrate the presence or otherwise of protected species on the site and the proposed mitigation if any are found also meets with the approval of the Council's woodlands and environmentalist officer.

RECOMMENDATION

10.30 It is proposed that this Committee **RESOLVES to APPROVE** the application, subject to the conditions outlined below.

- 1 SC4 Time Limits Standard
- 2 No development shall commence before further ecological survey assessment of the site has been undertaken in accordance with the requirements of the ecological survey accompanying the application and submitted to and agreed in writing by the Local Planning Authority in consultation with English Nature. The assessment shall include appropriate mitigation measures for any protected species which may be found on the site. Furthermore, before any development shall commence, all reasonable steps necessary shall be taken to implement the identified mitigation measures for all protected animal species on the site. No translocation of these species, should it prove necessary, shall commence until written details of receptor sites, together with a management plan including monitoring, have been submitted to the Local Planning Authority and approved by it in writing.
- 3 SC14 Materials to be Used
- 4 SC28 Use Class Restriction
- 5 SC50 Means of Enclosure - Full
- 6 SC59 Landscaping Design - Details Full
- 7 SC79 Car Parking
- 8 SC83 Site Levels
- 9 SC84 Slab Levels
- 10 SC85 Method Statement
- 11 A scheme of measures for the control and suppression of dust emission generated during the construction of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority. Such agreed works shall be implemented in the approved form prior to the commencement of the proposed development and shall be maintained in the approved form.

PLANNING SERVICES COMMITTEE - 19 February 2004 Item 10

Relevant Development Plan Policies and Proposals

H11 of the Rochford District Local Plan First Review

HP7, HP12, HP14 of the Replacement Local Plan



Shaun Scrutton
Head of Planning Services

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

03/01024/FUL



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CODE OF CONDUCT FOR PLANNING MATTERS

GENERAL PRINCIPLES

Members and Officers must:-

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

In Committee, Members must:-

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

Members must:-

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

Officers must:-

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