



**Rochford District  
Council**

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
THE DEVELOPMENT CONTROL COMMITTEE - 25 February 2010**

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

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

The above documents can be made available for inspection as Committee background papers at the office of Planning and Transportation, Acacia House, East Street, Rochford and can also be viewed on the Council's website at <http://www.rochford.gov.uk>.

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

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Ward Members for Committee Items

**DOWNHALL AND RAWRETH**

Cllr C I Black  
Cllr R A Oatham

**HAWKWELL NORTH**

Cllr Mrs L M Cox  
Cllr M G B Starke

**REFERRED ITEM**

Item R1	09/00700/FUL	Katie Rodgers	PAGE 4
	Demolish Existing Dwelling and Erect 2 No. Detached Four-Bedroomed Chalet Style Houses With Integral Garages. Form New Vehicular Crossovers. 1 Clifton Road Ashingdon Rochford		

**SCHEDULE ITEM**

Item 2	10/00021/FUL	Mr Mike Stranks	PAGE 14
	Construct Three Storey Mixed Use Building Comprising Three Commercial Units (Use Classes A1, A2, A3, A5, D1 and B1a) and Twenty Three Affordable Residential Flats and Car Parking Area. Asda Priory Chase Rayleigh		

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**REFERRED ITEM R1**

**TITLE: 09/00700/FUL  
DEMOLISH EXISTING DWELLING AND ERECT 2 NO.  
DETACHED FOUR-BEDROOMED CHALET STYLE HOUSES  
WITH INTEGRAL GARAGES. FORM NEW VEHICULAR  
CROSSOVERS  
1 CLIFTON ROAD ASHINGDON**

**APPLICANT: MR P HILLS**

**ZONING: RESIDENTIAL**

**PARISH: HAWKWELL PARISH COUNCIL**

**WARD: HAWKWELL NORTH**

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

This application was included in Weekly List no. 1017 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Wednesday, 27 January 2010, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs L M Cox and Cllr M G B Starke.

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

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**1.1 Hawkwell Parish Council: Object as over-development of the site**

**NOTES**

- 1.2** Planning permission is sought to demolish the existing dwelling and erect 2 detached 4-bedroomed chalet style houses with integral garages and to form new vehicular crossovers at 1 Clifton Road, Ashingdon.
- 1.3** The application site is directly bordered to the west by a residential bungalow, No. 5 Clifton Road and to the east by the rear boundaries of several residential properties and a church that fronts Ashingdon Road. To the rear, the site is bordered by the rear gardens of residential properties that front York Road.
- 1.4** This application follows two recent, similar applications at the site. Application 08/00717/FUL proposed to demolish the existing dwelling and erect 2 detached 4-bedroomed houses with integral garages and to form new vehicular crossovers. This application was refused for the following reason:-

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**REFERRED ITEM R1**

- 1.5     1.     The proposal, by way of the significant depth and bulk of the dwellings proposed, particularly at first floor, would prove dominant and overbearing to the street scene and the group of existing bungalows in which the site would be part resulting in a development out of scale and form with the group of bungalows adjoining the site and resulting in a poor relationship to those existing bungalows and their appearance within the street contrary to parts (ix) and (x) to Policy HP6 to the Rochford District Replacement Local Plan (2006).
- 1.6     Application 09/00566/FUL also proposed to demolish the existing dwelling and erect 2 detached 4-bedroomed houses with integral garages and to form new vehicular crossovers. This application was refused for the following reason:-
1.     The proposal, by way of the inadequate plot width to the dwelling proposed to plot 'B' and the inadequate space between the two buildings, would fail to provide a satisfactory frontage width and space between the dwellings proposed. If allowed, the development would lack sufficient space about the building to give a satisfactory setting compatible with the modest scale and spacious surroundings to that part of the street in which the site is situated. As such the development would provide a poor relationship to nearby dwellings and cramped appearance in the street contrary to part (ix) to Policy HP 6 to the Council's adopted Local Plan (2006).
- 1.7     The current application, which is now under consideration, proposes exactly the same development as was proposed in the earlier application 09/00566/FUL, save for three differences: the width of each of the proposed dwellings has been reduced in the current application, the fenestration proposed at first floor on the dwelling that would be sited on plot B has changed and the plot widths have changed such that the two plot widths are now approximately equal.
- 1.8     Application 09/00566/FUL was only refused on the basis of insufficient space about the proposed buildings and insufficient plot width to plot B. As the current application proposes exactly the same as application 09/00566/FUL, save for the above-mentioned changes, if the issue of insufficient space about the buildings and inadequate plot width for plot B have been overcome in the current application then the current application would be considered acceptable as all other aspects of the proposed development have already been considered acceptable as per the decision on 09/00566/FUL.

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**REFERRED ITEM R1**

- 1.9 In the current application the proposed elevations show that the width of both of the proposed dwellings would be 7.6 metres. However, the proposed floor plan shows that the proposed width of each dwelling would be 7.35 metres. As the overall site width is 18.7 metres at the point where the front elevations of the dwellings would be sited and the proposal would provide 1 metre to each side boundary with neighbouring plots, the separation distance that would be provided between the proposed dwellings would vary according to the width dimension of the proposed dwellings. If each dwelling was 7.6 metres in width, as per the submitted elevations, then the separation distance that would be provided between the two properties would be a total of 1.5 metres, 75cm to either side of the shared boundary. If each dwelling was 7.35 metres in width, as per the submitted floor plans, then the separation distance that would be provided between the two properties would be a total of 2 metres, 1m to either side of the shared boundary.
- 1.10 In the previous application 09/00566/FUL the same discrepancy between the widths proposed on the elevations and on the submitted floor plans was apparent.
- 1.11 Due to the discrepancies in the submitted plans for both the current and the previous application outlined above it is not clear by how much the current proposal has reduced the width of the proposed dwellings.
- 1.12 However, in the consideration of 09/00566/FUL, the fact that the proposal would not achieve a 1 metre separation distance to the boundaries between the proposed dwellings, i.e., a space between the two dwellings of at least 2 metres, was considered objectionable as it would have resulted in a cramped appearance.
- 1.13 If the width of each dwelling proposed would be 7.35 metres as per the submitted floor plans for the current application and not 7.6 metres as per the submitted elevations, then a separation of 1 metre either side of the shared boundary between the two proposed dwellings would be achieved, together with a 1-metre separation either side of the proposed dwellings with the neighbouring boundaries.
- 1.14 It is considered that a separation distance of 1 metre to either side boundary of each of the proposed dwellings is the minimum distance required to ensure that there is sufficient space about the buildings so as not to result in a cramped appearance in the street scene. It is considered that it would be necessary and possible to condition any consent to ensure that the dwellings were constructed in accordance with the width dimensions on the submitted floor plans and not on the submitted elevations and that this would overcome the previous concern about the cramped appearance of the proposed dwellings.

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**REFERRED ITEM R1**

- 1.15 In the current application, the widths of plots A and B have been altered following concern in the previous application 09/00566/FUL that plot B, which was slightly narrower than plot A, at 8.95 metres measured along the highway boundary and 8.5 metres measured at the position of the front elevations of the proposed dwellings. The width of the plots now proposed is 9.4 metres and 9.45 metres measured from the position of the front elevation of the dwelling and along the highway boundary respectively for plot A and 9.3 metres and 9 metres measured from the position of the front elevation of the dwelling and along the highway boundary respectively for plot B. Although the plot width for plot B still would not technically meet the Council's requirement for a plot width of 9.25m at the front of the site along the highway, this plot width would only be short of the requirement by 25cm and would increase to the required plot width at the front of the dwelling house. The width of each plot is therefore now considered acceptable.
- 1.16 The submitted site plan shows that the dwelling on plot B would be sited such that it would be approximately 4.4m deeper than the rear elevation of No. 5 Clifton Road. The dwelling on plot A would be sited approximately in line with both the front and rear elevations of the dwelling that would be erected on plot 1. Both dwellings would be sited approximately 6 metres from the front boundary of the site. The proposed siting of the two dwellings is exactly the same as that proposed in the earlier application 09/00566/FUL.
- 1.17 The application site slopes gently downwards from north to south and from west to east. The maximum ridge height for both proposed dwellings would be a maximum of 7.6 metres from existing ground level, varying slightly due to the slight slope west to east on the site. This would make the ridge on the property on Plot B approximately 1.4m higher than the ridge of the neighbouring property, No. 5 Clifton Road.
- 1.18 The impact that the proposed dwellings would have on the level of amenity already enjoyed by the occupiers of neighbouring properties should also be considered. The current application proposes the same development as was considered in 09/00566/FUL, save for the changes already discussed and changes to the proposed fenestration to the first floor elevation for No. 5 Clifton Road. Instead of one first floor window in this elevation the current application proposed 3 windows. However, all three windows would be obscure glazed and would therefore be acceptable. As the proposal in 09/00566/FUL was considered acceptable in terms of impact on neighbouring properties and the current proposal is the same, save for minor changes that are considered acceptable, the current proposal is also considered acceptable in this respect.

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**REFERRED ITEM R1**

- 1.19 The vehicular accesses to both plots A and B would be provided at 4.15 metres in width; the existing vehicular access to plot A would be extended and a new vehicular access would be provided at plot B. To the front of the dwelling houses a hard surface would be provided for on-site parking, which would be approximately 5.1m (width) by 5.6m (depth) for plot A and 5.3m (width) by 5.6m (depth) for plot B. The integral garages that would be provided for both of the dwellings would be 2.85m in width and 5.2 metres (internal dimensions), with a garage door with a width of 2.3 metres. Again, these details are as per the earlier submitted application 09/00566/FUL.
- 1.20 The Council has an adopted policy, Policy TP8 in the Rochford District Replacement Local Plan (2006), which specifies maximum car parking standards for properties dependant on the location of the property in respect of access to public transport. However, this policy has been effectively superseded by the endorsement by the Council of a document entitled 'Parking Standards - Design and Good Practice' dated September 2009 and produced by Essex County Council and the Essex Planning Officers Association, which is now adopted Supplementary Planning Guidance.
- 1.21 This document has been produced in accordance with the requirements for the production of supplementary guidance by County Councils, as set out in PPS12. As such, and given that Rochford District Council has endorsed the guidance, 'Parking Standards – Design and Good Practice (September 2009)' should be afforded commensurate weight in decision-making with that of a Supplementary Planning Document.
- 1.22 'Parking Standards - Design and Good Practice' requires a minimum of 2 on-site car parking spaces for a dwelling house with 2 or more bedrooms and car parking spaces at the preferred bay size of 5.5m by 2.9m; however a minimum bay size is also given of 5m by 2.5m. If a garage would be provided, it would have to have internal dimensions of 7m by 3m to contribute 1 on-site car parking space at a site.
- 1.23 At the preferred bay size, the hard surface that would be provided to the front of each dwelling would provide 1 on-site car parking space. However, at the minimum bay size, the hard surface area to each plot would provide 2 car parking spaces. Although a garage would be provided at each plot this would fall short of the required dimensional requirements.
- 1.24 **County Surveyor (Highways):** No objection but suggested conditions:-
1. A visibility splay of 2.4m x site maximum, as measured from the carriageway edge, shall be provided either side of the new accesses, with no obstruction over 600mm above the level of the adjacent carriageway.



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**REFERRED ITEM R1**

2. Prior to the beneficial use of the development commencing there shall be provided 1.5m x 1.5m pedestrian visibility splays to both sides of the vehicular access at the rear of the highway boundary.
3. Prior to the commencement of works on site the applicant shall indicate in writing to the Local Planning Authority an area within the curtilage of the site for the parking of operatives' vehicles and the reception and storage of building materials clear of the highway.
4. Prior to any works commencing on site the applicant shall indicate in writing to the Local Planning Authority the means by which the wheels of vehicles leaving the site shall be cleansed.
5. Prior to the beneficial use of the development commencing the driveways shall be constructed and completed in bound materials, as approved by the Local Planning Authority.
6. All works within the highway to be laid out and constructed and completed to the satisfaction of the Area Manager South, details to be agreed before the commencement of works.
7. Prior to the beneficial use of the development commencing the proposed vehicular crossing shall be extended and updated to current specifications.

Note: All works shall be kept clear of the electricity pole adjacent to the existing vehicular access.

- 1.25 **Rochford District Council (Ecology):** No comments received.
- 1.26 **London Southend Airport:** No safeguarding objection.
- 1.27 **Rochford District Council (Woodlands):** A tree impact assessment has been supplied by Andrew Day Consulting Ltd dated 27th Sept 2009.
- 1.28 The trees at the site have been graded as British Standard 5837 category C trees. These are trees that are usually in such a condition that life expectancy is around 10 years; they also require management to improve their current condition.
- 1.29 The removal of the trees, as indicated in the layout plan, is acceptable.
- 1.30 Those trees indicated for retention should be protected from development as per section 2.6.1 and appendix 3 (protective fencing method statement) of the report supplied.

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**REFERRED ITEM R1**

1.31 Neighbours:-

Occupiers of No. 7 Clifton Road:-

- Proposed houses would be out of character with surrounding buildings, which are single storey
- Any future owner could use permitted development to build on single storey at the rear
- Concern that the garage would be converted, losing a car parking space and parking is already a problem in the street, as the church attracts visitors
- Concern about whether existing drains on the site could accommodate the proposed development

Occupier of 10 Clifton Road:-

- Bungalows would be preferred as the street is characterised with bungalows
- Existing parking problems which would be increased

Occupier of 537 Ashingdon Road:-

- Concern that there would be a direct line of sight from proposed dwelling into the rear garden and rear of the property at 537 Ashingdon Road.

**APPROVE**

- 1 SC4B Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 Prior to the occupation of either dwelling hereby approved, precise details of the boundary treatments to be used at the site, including the design, height, positions and materials to be used, shall be submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be provided, in accordance with the details agreed, prior to the occupation of either dwelling hereby approved and retained in the approved form thereafter.
- 4 Notwithstanding the width dimension proposed on the submitted elevation drawings for each dwelling on the site, the width of each of the dwellings hereby approved shall be in accordance with the width proposed on the submitted floor plans, date stamped 2 DEC 2009, i.e., a maximum width of 7.35 metres along the entire length of each dwelling.
- 5 The vehicular access, closest to the eastern boundary of the site, shall be extended to achieve an overall width of 4.1 metres and the vehicular access, closest to the western boundary of the site, shall be provided at a width of 4.1 metres, prior to the occupation of either of the dwellings hereby approved. Once provided, the vehicular accesses shall be retained in the approved form.

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**REFERRED ITEM R1**

- 6 The areas of the site forward of the front elevations of the dwellings, except those areas shown hatched green on the approved site plan dated 2 DEC 2009, shall be hard surfaced in a bound and porous material, precise details of which shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed and prior to the occupation of either of the dwellings hereby approved, the hard surface shall be constructed in accordance with the agreed details and retained thereafter in this form. The hard surfaced areas of the site forward of the front elevations of each of the dwellings hereby approved shall be kept clear for the use for the parking of vehicles at all times.
- 7 Any vegetation provided within a 1.5m x 1.5m pedestrian sight splay area either side of each vehicular access at the site shall be kept to a height of no greater than 600mm above the finished surface of the vehicular access.
- 8 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A or B of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no rear extensions or enlargements of the dwelling house that would consist of an addition or alteration of the roof shall be erected on either of the dwellings hereby approved.
- 9 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B or Class C, of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no balustrading, or similar means of enclosing any part of the flat roof areas on either of the dwellings hereby approved, shall be erected (or otherwise installed), nor shall any part of the said flat roof areas be used as balconies, roof gardens, amenity or other sitting out areas or similar purposes.
- 10 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no window, door or other means of opening shall be inserted above first floor finished floor level on the side elevations of either of the dwellings hereby approved in addition to those shown on the approved drawings date stamped 2 DEC 2009.
- 11 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) the window(s) marked OBS on the approved drawing(s) date stamped 2 DEC 2009; shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.

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**REFERRED ITEM R1**

- 12 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A and Class E of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification), the garages hereby permitted, shown on the approved drawings dated stamped 2 DEC 2009, shall be fitted with 'roller shutter' or similar type of door, which when opened are incapable of projecting beyond the forward most plane of the building. Thereafter, the means of opening to the said garages shall be retained in the approved form.
- 13 The garage provided for each dwelling hereby approved shall be retained and maintained in the approved form and used solely for the parking of vehicles and for no other purpose that would impede vehicle parking.
- 14 Any balustrade fitted in connection with the proposed first floor patio doors on the rear elevation of each of the dwellings hereby approved shall be fixed tight to the rear face of the building to which it relates such that no outside floor space is created and no amenity area, balcony or other sitting out or standing out area is formed; balustrading provided shall always be maintained in accordance with these requirements.

**REASON FOR DECISION**

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

**Relevant Development Plan Policies and Proposals**

HP6, TP8, of the Rochford District Council Adopted Replacement Local Plan  
As saved by Direction of the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004. (5 June 2009)



Shaun Scrutton  
Head of Planning and Transportation

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For further information please contact Katie Rodgers on (01702) 546366.

09/00700/FUL

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**SCHEDULE ITEM 2**

**TITLE: 10/00021/FUL  
CONSTRUCT THREE STOREY MIXED USE BUILDING  
COMPRISING THREE COMMERCIAL UNITS (USE CLASSES  
A1, A2, A3, A5, D1 and B1a) AND TWENTY THREE  
AFFORDABLE RESIDENTIAL FLATS AND CAR PARKING  
AREA.  
ASDA PRIORY CHASE RAYLEIGH**

**APPLICANT: CORAL RETAIL PROJECTS LTD**

**ZONING: MIXED USE DEVELOPMENT (THE PARK SCHOOL SITE )  
(HP2)**

**PARISH: RAYLEIGH TOWN COUNCIL**

**WARD: DOWNHALL AND RAWRETH**

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**PLANNING APPLICATION DETAILS**

**The Site**

- 2.1 This application is to a site on the southern side of Rawreth Lane on the inside of the junction made with Priory Chase. The site is the remaining part of a mixed development providing housing, including key worker flats, sports centre and primary school and is located on the edge of the car park to an existing Asda retail store. The site has a shingle surface and is contained by a low post and rail fence. The area was until recently used for car parking.
- 2.2 The site is bounded by Priory Chase to the west and Rawreth Lane to the north with intervening land forming a wide verge with established trees from the former school fronting onto Rawreth Lane. Opposite the site the north side of Rawreth Lane is detached housing, bungalows and chalets. Opposite the site and to the west and fronting Priory Chase is a building of two storey form with accommodation in the roof space for key worker flats.
- 2.3 The southern and eastern edges of the site adjoin the car park serving the Asda store but also serving the approved mixed use building for this part of the site to which the current proposal is an alternative to the approved scheme.

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**SCHEDULE ITEM 2**

**The Proposal**

- 2.4 The proposal is a revised application to that previously refused under application 09/00494/FUL set out in detail in the history reported below. The building now proposed still incorporates three commercial shop type units to the ground floor of 101 square metres, 96.9 square metres and 95.8 square metres, these are slightly larger than the three units proposed in the previous scheme (93 square metres) and are located, as before, to the southern end of the building.
- 2.5 The remainder of the ground floor and upper two floors would comprise 10 No. one-bedroomed and 13 No. two-bedroomed flats (23 units). The previously refused application comprised 6 No. one-bedroomed and 18 No. two-bedroomed flats (24 units).
- 2.6 The previously refused building was a full three floors with roof over. The current application is also three storey with a slightly smaller second floor plan area with dormers set within the roof slope to serve the upper floor living areas. Unlike the previous proposal, the current application includes a roof garden accessed by two pitched roofed stairwell towers.
- 2.7 As with the previous application, the flats proposed are to be provided as affordable. The commercial units are proposed to operate under a broad range of uses to comprise Use Classes A1 (shops), A2 (Financial and Professional) A3 (Restaurants/Cafés) A5 (Takeaways) D1 (clinic/crèche/training uses) and B1 (a) Offices and as might be typically expected in a local shopping parade.
- 2.8 The applicants seek a flexible consent as established by the previous permission granted under application 08/00789/FUL to enable use of the commercial element freely within the uses sought but without the dominance of any one particular use. In the previous application for six units this was achieved by the following condition:-
2. No more than two of the permitted units shall fall within Use Class A3 or A5 as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended) at any one time, without the prior written approval of the Local Planning Authority.

REASON: To maintain the diversity of uses within the centre valuable to the local community, which is otherwise poorly served by shops and other facilities.

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**SCHEDULE ITEM 2**

- 2.9 The appearance of the building results from the applicants revisiting the design in response to Member concerns about the previous application. The external walling would comprise a red brick with smooth render. The roofing would be finished in natural slate. The windows and doors would be finished in grey powder coated aluminium glazing. The fascias and soffits would comprise white UPVC. The balcony railings would be in black coloured polyester coated steel. The dormers would have lead roofs and cheeks. The external balcony feature to the northern end facing onto the junction would be in an oak frame.
- 2.10 The building would have an overall height of 11.3m to the main roof line as compared to 11.7m for the previously refused application. The two stairwell towers would have an overall height of 14.35m.
- 2.11 The building would have a frontage of 52.8m onto Priory Chase, a metre longer than the previous application. The proposed building would have a depth of 16.25m, as opposed to the previous depth of 13.4m. In this current application projecting balconies are only shown to the two upper floor end flats facing onto the junction between Priory Chase and Rawreth Lane.
- 2.12 The layout of the site would provide 31 No. car parking spaces, including two disabled spaces. These spaces would be accessed over the adjoining supermarket car park and reserved for residents' use by the provision of lockable posts to each bay. Each space is 2.5m x 5m, which is the same as those on the larger Asda site and in line with the minimum standard in the new car parking standards.
- 2.13 The northern part of the proposed building would be contained by a modest sized front garden area and elsewhere would be contained by paving.
- 2.14 The building would incorporate two spaces with external access onto the car park for refuse and separate residential and commercial refuse bin storage. A cycle store is to the north of the building accessed from Priory Chase in addition to 5 No. bicycle stands to the external paved area adjoining the car park.
- 2.15 The current proposal has resulted from discussions between officers, Ward Members and the applicants.

**RELEVANT PLANNING HISTORY**

- 2.16 Application No. 01/00762/OUT  
Outline application for a mixed use development comprising housing , neighbourhood centre , public open space, primary school and leisure centre  
Permission Granted 18 June 2003.



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- 2.17 Application No. 04/00975/FUL  
Variation of conditions attached to Outline Permission No. 01/00672/OUT to allow for separate reserved matters to be submitted and to allow flats above retail units in the neighbourhood centre.  
Permission granted 17 February 2005
- 2.18 Application No. 05/00599/REM  
Details of retail food store and part two storey part three storey building comprising 4 No. A1 (retail) units and 1 No. café/restaurant to ground floor, 3 No. D1 (Non residential Institutions) units at first floor and 8 No. Two-bedroomed flats at first and second floor with access and car parking layout.  
Permission refused 24 November 2005  
For reasons that the proposal failed to comply with the requirements of condition 4 of the outline consent in providing for a range of uses valuable to the local community, that the results within the travel assessment were considered unacceptable in terms of traffic movements arising from the development and the capability of the highway network to absorb those movements and the size of the retail store would be likely to have an adverse effect upon Rayleigh town centre.
- 2.19 Application No. 05/01049/REM  
Details of retail food store and part two storey part three storey building comprising 5 No. A1 (Retail) units and 1 No. A3 café, 3 No. D1 (non residential institutions) 1 No. D1 Nursery at ground, first and second floor with access and car parking layout floor  
Permission refused 25 May 2006 for reasons that the results within the travel assessment were considered unacceptable in terms of traffic movements arising from the development and the capability of the highway network to absorb those movements, the size of the retail store would be likely to have an adverse effect upon Rayleigh town centre and the noise and disturbance associated with the retail store would be detrimental to residential amenity of nearby residents in Priory Chase.  
Appeal allowed 25 January 2007.
- 2.20 Application No. 06/00508/FUL  
Variation of condition 2 of outline permission 01/00762/OUT to extend the time allowance for the submission of reserved matters applications by three years.  
Permission granted 20 June 2006.

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- 2.21 Application No. 07/00588/FUL  
Alterations to Approved Asda Store Building Comprising Covered Walkway to Car Parking Area, Provision of Smoking Shelter to Staff Parking Area, Provision of External Cash Machine Pod and Removal of one Car Parking Space, Provision of Draft Lobby to Store Entrance, Raise Height of Service Yard Wall From 1.8m to 3m, Revised Layout of Service Yard, Revised Location of Trees to Car Park, Extension of Entrance Canopy, Revised Elevations of Store to Show Location of Cash Office Transfer Unit, Provision of 2 No. First Floor Windows to Staff Restaurant and Training Room, Reduced Size of Curtain Walling Panels, Provision of Additional Fire Exit to North Elevation and Revised Position of Roof Plant.  
Permission granted 23 August 2007
- 2.22 Application No. 08/00541/FUL  
Erection of a three storey mixed use building comprising a mix of commercial uses (Use Classes D1: Non-Residential Institutions, Class A1: Shops, Class A2: Financial and Professional Services, Class A3 : Food and Drink, Class A4: Drinking Establishments, Class A5: Hot Food Takeaways) and 11no. two-bedroomed and 8 no. one-bedroomed flats and associated car parking.  
Application withdrawn
- 2.23 Application No. 08/00789/FUL  
Erect part single storey part two storey mixed use building comprising 6 commercial units within class A1: Shops ,Class A2: Financial and professional, Class A3: Food and drink, Class A5: Hot food takeaway, Class D1: Non-residential institutions and Class B1: Business and associated parking  
Permission granted 20 November 2008.
- 2.24 Application No. 09/00494/FUL  
Construct three storey mixed use building comprising three commercial units (Use classes A1, A2, A3, A5, D1 and B1(a)) and twenty four affordable residential units.  
Permission refused 20 October 2009.
- 2.25 For the following reasons:-
1. The proposed building, by way of its design and appearance, would be out of keeping with the surrounding area, which essentially comprises domestic scale residential dwellings in traditional external finishes. If allowed, the building proposed would detract from that residential character to the detriment of visual amenity afforded to the street scene and the area more generally.
  2. The proposed building would be of a scale, form, mass and bulk that would be inappropriate in its relationship with nearby residential dwellings and contrary to parts (ix) and (x) to Policy HP6 to the Council's adopted Local Plan, as saved by ministerial direction dated 5 June 2009.

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3. The proposal would fail to provide satisfactory amenity space for the residential flats proposed in accordance with the Council's standard. If allowed, the future residential occupiers of the building would lack sufficient space for outdoor recreation, storage and drying and would prove detrimental to the amenity that those future residential occupiers ought reasonably expect to enjoy.
- 2.26 This application is now at appeal.
- 2.27 Following the grant of outline consent a master plan established the relative proportions of the layout of the site around a single spine road and to provide a neighbourhood centre comprising retail, and other uses to support the community to this part of western Rayleigh, including food and drink uses, and non-residential institutions such as children's nursery or medical facilities such as doctors and/or dentists. The scope of the neighbourhood centre as set out in the outline permission was never framed specifically other than to suggest a range of A1, A3 and D1 uses and was otherwise left open to allow flexibility.
- 2.28 The site now includes a retail store and car park with permission extant as allowed on appeal under application 05/1049/REM for an alternative mixed use building that is compliant with the outline permission. The outline permission was previously varied to allow for flats to the upper floors of the mixed use building. The development commenced construction under the appeal decision but the design of the retail store building was amended and completed under the permission granted under application 07/00588/FUL. The site of the proposal remains with a shingle covering and has been in use for overspill car parking.
- 2.29 This application is a stand alone application independent from the outline application and is not submitted as reserved matters pursuant to the outline permission or the history of the site.

**CONSULTATIONS AND REPRESENTATIONS**

- 2.30 **Rayleigh Town Council:** No objection to this application, subject to the conditions previously imposed.
- 2.31 **Essex County Council Built Environment branch (Urban Design):** Advise that have worked with the applicant on this and on a previous scheme which, following rejection by the Committee, is now at appeal. For that previous application consider that Rochford's amenity space standards are aimed at housing schemes and are realistically not reasonable on most apartment schemes such as this in and benefiting a neighbourhood centre. Essex County Council does have specific open amenity standards for schemes such as this as contained within the Urban Place Supplement which, although not adopted by the District Council, the previous scheme admirably achieved relatively high standards through the use of balconies and front gardens and despite a highly constrained site.

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- 2.32 The new application appears, understandably, a direct attempt to placate concerns raised during the previous refusal. The main changes are a more traditional vernacular approach and a large communal roof garden.
- 2.33 Although it may become a valuable communal asset, we have nagging concerns over the use and management of the roof garden, though accept on this site, the applicant has no alternative in attempting to meet Rochford's open amenity standards. Our concerns relate to the general maintenance, lack of relationship with apartments in terms of natural surveillance and direct access. The design of the roof garden is now suitably broken down following our initial comments, though due to possible safety issues we would suggest the need to extend the raised planting area to the south of the defined play area, possibly by way of a condition.
- 2.34 Although the design has been improved following earlier comments, there are still concerns at how the development has been designed to accommodate the roof garden, along with other design issues arising from the change to a traditional vernacular.
- 1) Perhaps given the constraints of accommodating the roof garden, the ridge line is unvaried giving a monolithic, rather flat and uninteresting form to the building only partially offset by other architectural aspects and stairwell towers.
  - 2) The tower pinnacles relate awkwardly to the rest of the stairwell, appearing as two separate elements rather than a unified design element.
  - 3) The corner/gateway feature to Rawreth Lane is the right idea addressing the street corner, though could perhaps have been more dominant to give the development better hierarchical order and variety.
  - 4) There is potential for residents to turn front gardens that relate well to surrounding public realm (on all sides) into back gardens protected by ugly fences, etc. Suggest any approval is on the condition that covenants are put in place restricting the height of fencing/evergreen planting to 1m and that a gate is provided in the railings providing private pathway access to adjoining public pathways.
  - 5) Combining the vernacular approach with roof garden has perhaps inevitably resulted in a fake impression of traditional roof design, though the flat roof is confusingly still given away by the lack of gable ends from some perspectives.
  - 6) The north west elevation to Priory Chase is now possibly the weakest, the wide and flattened hipped roof elements being particularly uninspiring and in contrast to the Essex Vernacular, which suggests narrower gabled roof elements, which are more human in scale and articulation.

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- 7) The materials appear reasonable though suggest a condition requiring the approval of the red facing brick following submission of a sample.
- 2.35 In normal circumstances would have no hesitation in recommending refusal, though in this instance only outline our concerns given the difficulties of responding to core "design by Committee "issues.
- 2.36 **Environment Agency:**  
**Flood Risk:** Advise the site is situated within Flood Zone 1 classed as low probability in PPS 25. The size of the site falls outside the agency's remit and it is therefore for the Local Planning Authority to consider surface water management.
- 2.37 **Sustainable Construction:** Advise that with new information becoming available on the impacts of climate change it is important that the proposed development is carried out in as sustainable a manner as possible with the highest possible standards of construction and design in line with the objectives of PPS1.
- 2.38 Advise that the development should seek to minimise the use of resources and the production of waste using passive systems using natural light, air movement and thermal mass. High levels of energy and water efficiency must be ensured.
- 2.39 Recommend the following heads of conditions:-
- 1) That prior to the commencement of the development a scheme for the provision and implementation of water resource efficiency shall be submitted for agreement and implemented.
  - 2) That prior to the commencement of the development a scheme for the provision and implementation of energy resource efficiency during construction and operational phases of the development shall be submitted for agreement and implemented.
- 2.40 **Pollution Prevention:** Advise that prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from parking areas for less than fifty spaces and hardstandings should be passed through trapped gullies with an overall capacity compatible with the site being drained to prevent pollution to the water environment.
- 2.41 As an alternative to trapped gullies and positive piped systems consideration should be given to sustainable drainage schemes such as porous paving. These are encouraged as they aid flood prevention, water conservation and improve the quality of surface water run off.
- 2.42 One letter has so far been received in response to the public notification and which in the main raises the following comments and objections:-

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- Note the new design seems to be an improvement on the last design, which given that is now at appeal, this new application is a gross waste of public money
- A hot food takeaway shop should not be within 400 metres of a school. This is a precedent set by other Essex District Councils to encourage children to have a healthier lifestyle but also to prevent public nuisance and safety issues caused by the congregation of children and littering.
- Object to social housing of any kind on this site. The neighbourhood consists of predominantly privately owned homes. This development in what is effectively Asda's car park is unlikely to be looked after by social residents because of a lack of community identity and civic pride. This in turn is likely to contribute to the existing anti-social behaviour problems already suffered by this neighbourhood. This in turn will lead to further devaluation of property and difficulty in selling property.
- Increased parking and access problems given the number of flats and shops proposed.
- Double yellow lines outside existing homes on Priory Chase should be removed and replaced with a residents' free parking scheme.
- The remaining double yellow lines should be enforced
- The number 24 bus terminus should be removed and re-sited on Rawreth Lane to prevent the bus blocking Priory Chase with the delivery lorries, which leads to breaching of basic traffic laws and road safety, particularly at peak times.
- Additional traffic problems from deliveries to the proposed shops and by takeaway customers.
- Roof gardens will overlook existing homes and will lead to further anti social nuisance as noise will travel further and disturb residents. Drying washing on the roof will look unsightly.
- The site regularly floods and has obvious drainage problems. The development will concrete over any natural drainage and the proposed units will put added strain upon the existing system.
- Over-development
- Existing road layout is poor and inadequate and road safety issues have yet to be given proper consideration.
- Priory Chase and Temple Way should be adopted before any further developments are given permission in this residential area.

**MATERIAL PLANNING CONSIDERATIONS**

**Principle of the Development**

- 2.43 The principle of the proposed development accords with the Local Plan allocation seeking a mixed use development and although submitted for separate consideration to the outline permission does, however, follow the general scope of the expectations for the site, including the provision of residential flats above the ground floor commercial units found acceptable by the permission granted under application.

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**Design Issues**

- 2.44 A three storey mixed use building was allowed on appeal as part of the greater development of the site under application 05/01049/REM. More recently an alternative part two storey, part single storey building was granted permission under application 08/00789/FUL. Neither of these consents included any residential use.
- 2.45 The proposal differs to those previously approved in that it would have a rectangular, as opposed to the previously approved "L" shaped footprint, to both approved schemes.
- 2.46 The applicants have re-visited the design in response to the criticism of the recently refused scheme. The current application has references to the approved scheme as allowed on appeal, which featured a similar design approach, particularly in relation to the roof treatment.
- 2.47 The materials favoured in this scheme relate to the residential properties in the area, though the adjacent supermarket and leisure centre utilise modern materials and finishes.
- 2.48 Although the County Council's Urban Designer is critical of this scheme (having favoured the previously refused scheme) it is recognised that the applicant is seeking to overcome Members' concerns and, given the site history and circumstances of the previous application which had officer support, the Urban Designer makes comment but does not recommend in this case that the current application be refused.
- 2.49 The current scheme is considered acceptable in officers' view and would have a satisfactory appearance and be of appropriate scale.

**Density Issues**

- 2.50 Advice contained within paragraph 47 to PPS3: Housing (November 2006) although setting a minimum density of 30 dwellings per hectare, no longer sets an upper limit but amongst other things requires account to be taken of the characteristics of the area.
- 2.51 The site has an area of 0.21ha and, as well as the three commercial units proposed, would equate to a density for the 23 flats proposed of 104 dwellings per hectare.
- 2.52 In comparison the adjoining area for key worker flats and adjoining housing shows a typical sample area of 1ha to equate to a density of 47 units per hectare. However, the key worker flats opposite the site have a density of 144 units per hectare.

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- 2.53 Whilst the density of the residential element of this proposal is high it compares in character to the key worker flats opposite.

**Detailed Space Standards**

- 2.54 The Council's space standards require either all the flats to have balconies of 5m.sq. plus 50m.sq. patio gardens for ground floor units, or a communal garden area of 575m.sq., or a mixture of both.
- 2.55 Council guidance allows for exceptions to be made where the site is adjacent to an area of substantial well landscaped and properly maintained public open space. Swayne Park informal open space is near to the site as well as Rayleigh leisure centre and both are a short walk from the site without having to cross a main road.
- 2.56 The previously refused scheme had provision comprising some 233 square metres of front garden type amenity space that was to be enclosed by low railings and thus open to the public gaze. Each flat in the previous scheme featured a balcony of between 5 and 6.9 square metres. The ground floor provision was communal, although would immediately adjoin the four ground floor flats.
- 2.57 In refusing the previous scheme Members considered the level of provision to be inadequate in that if families occupied any of the units they would have no reasonable access to amenity areas and that the nearby open public space was a significant distance from the development and would require children to be supervised. Members considered that the ground floor amenity space in the refused scheme would not be attractive to other residents in the scheme because of its close proximity to the four ground floor flats.
- 2.58 The current scheme also relies on the ground floor provision, which would provide a small area of 18.8 square metres to Flat 2 facing onto the rear car parking area and an area of 233 square metres wrapping around the northern end of the building. The end units (flats 03, 11 and 20) fronting onto the junction also include a balcony each of some 7.56 square metres in area.
- 2.59 The revised design also features a roof garden accessed from the two stairwells serving the building. The roof garden is shown divided into a central secure children's play area of 129 square metres adjoined at each end by a general seating area. The total area of the roof garden equates to 307 square metres in area.



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- 2.60 The total provision of amenity space equates to 540 square metres. The three balconies serving individual flats are each in excess of the 5 square metres required. Taking away the communal requirement for the two upper floor flats served by balconies, the overall requirement would be 525 square metres. The proposal, in using a combination of provision, satisfies the Council's standards for amenity space provision, thus overcoming the third reason for refusing the previous application.
- 2.61 Officers have raised concern with the applicant regarding the design of the upstand to the roof garden, fearing that children might climb over the 1.1m high barrier. The applicants have responded to advise that the height shown satisfies the requirements of the building regulations.

**Overlooking**

- 2.62 The proposal would provide for windows and balconies to first and second floors overlooking the public areas of Priory Chase and Rawreth Lane, as well as the car park to the rear of the site. No overlooking of adjoining private areas to residential neighbouring properties would arise from this development.

**Refuse Bins**

- 2.63 The layout of the site makes provision for refuse bin storage to be provided within the building.
- 2.64 However, officers have concerns about the size and adequacy of the domestic refuse bin enclosure that is shown on the plan. This is being discussed with the applicant. It is desirable for the facility to be enclosed as shown. Furthermore, there is concern that the refuse bin facility is poorly sited with parking planned adjoining the access point and anticipated difficulty for refuse collecting vehicles to enter and manoeuvre within the busy car park to service the bins.

**Highway Issues**

- 2.65 The previous scheme for this part of the site required some 80 car parking spaces, as calculated from the specific uses to each unit as then proposed.
- 2.66 It is accepted that the commercial uses are accounted for in the general layout of the adjoining car park. The issue is therefore the need for residential parking to provide for the flats now proposed.
- 2.67 The current application would provide 31 car parking spaces, including two disabled spaces. The car parking spaces are shown 2.5m in width and 5m in depth.

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- 2.68 The Council is now working to the updated Parking Standards Design and Good Practice prepared by Essex County Council and the Essex Planning Officers Association (September 2009). These standards take a district wide approach and treat houses and flats equally and differentiate between one bedroomed dwellings at one space per flat and require two spaces per dwelling with two bedrooms or more. The current scheme would ordinarily require 10 spaces for the one-bedroom flats proposed and 26 spaces for the two-bedroom flats proposed. This represents a shortfall of 5 spaces as required by the recently adopted standards. The new standard, however, further includes provision for 0.25 visitor spaces per flat. This would ordinarily require a further 6 spaces to be allocated for visitors in addition to those set aside for residential occupiers. Taking these requirements into account the shortfall thus increases to 11 spaces overall. This calculation does not take into account the re-used size standard for spaces of 5.5 x 2.9, though the standards do allow the use of bays 5 x 2.5 in very special circumstances.
- 2.69 In the previously refused application there was a shortfall of nine spaces required on the basis of that previous composition of that earlier scheme. No account was taken of the additional visitor requirement. No objection was raised by the County Highway Authority and similarly no objection raised by District officers on this aspect as officers considered, notwithstanding the new standards, the level of provision is acceptable to serve the development, given that the flats will be managed by a housing association and there was no objection raised by the County Highway Authority to the proposal on highway grounds.
- 2.70 The previously refused application remains a material consideration in that the shortfall did not amount to a reason for refusing that earlier application. Whilst those incoming parking standards have since been adopted, the history of the site remains relevant. The comments of the County Highway Authority are awaited at the time of writing. Subject to no objection being raised by the County Highway Authority, District officers do not consider that in this case, weight can be given to the shortfall in parking provision as applicable under the newly adopted standards.

**The Use Issues**

- 2.71 The application is unusual in that it seeks consent for a wide ranging scope of uses. Normally, the implementation of a use would convey certain permitted development rights allowing, for example, an estate agent (A2) to become a shop (A1) without a fresh permission being necessary. The take up of any of the uses proposed would normally only allow in certain cases new shop uses to result.

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- 2.72 The current application, however, seeks to allow on a permanent basis the full range of A class uses, excluding A4 (Pubs and Bars) at any given time, notwithstanding the lawful implementation of user rights. The effect of this would be attractive for marketing purposes giving ultimate flexibility. Whilst the retail use desired is essentially provided by the retail store on the site, as proposed the building could be dominated at any particular time by, say, A3 or A5 use as a restaurant or takeaway effectively bypassing existing controls in place by statute, which are intended to enable consideration of nuisance, hours of operation and traffic considerations as well as the appropriateness of the full range of uses to a neighbourhood parade.
- 2.73 Policy SAT6 seeks to secure local shopping parades for essentially retail or other purposes to serve day to day needs of the local community as well as maintaining the attractiveness of shop fronts important to the vitality and attraction to shoppers. Conditions can be used to control installation of external venting where required and the installation of security grills. However, in the consideration of the previously approved application officers and Members found a condition acceptable that ensured an effective mix of uses would be achieved without dominance of A3 or A5 uses.
- 2.74 Officers consider that this style of condition can be adapted to suit the smaller range of commercial premises proposed in this current application. Furthermore, the condition can be varied to prevent further subdivision of the layout so that all three units might not become one unit.

**Affordable Housing**

- 2.75 The current application would normally require the provision of at least nine affordable units. The applicants are, however, offering all twenty three units as affordable housing likely to be social rented and intermediate housing currently being negotiated with Sanctuary Housing Association.
- 2.76 Officers are aware that the necessary agreement is in hand to inform both the pending appeal and this current application.
- 2.77 The matter therefore only requires a legal agreement or Unilateral Undertaking securing the affordable commitment to be completed prior to the issue of the decision notice should Members be minded to approve the application.

**CONCLUSION**

- 2.78 The principle of the proposed development accords with the Local Plan.
- 2.79 The current application has revisited the design and seeks to follow a more domestic appearance to compare with the site surroundings.

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- 2.80 The development as now proposed would provide sufficient amenity space on the site to accord with the Council's detailed guidance.
- 2.81 Officers therefore consider that the scheme as now proposed overcomes the previous reasons for refusal.

**RECOMMENDATION**

- 2.82 That the Committee resolves to **APPROVE** the application, **subject to the applicants providing an agreement or Unilateral Undertaking** to provide affordable housing and to the following conditions:-
- 1 SC4B - Standard Time Limit
  - 2 No development shall commence before details, including samples of all external facing and roofing materials (including windows and doors) to be used in the development, have been submitted to and agreed in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
  - 3 No more than one of the permitted units shall fall within Use Class A3 or A5 as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended) at any one time, without the prior written approval of the Local Planning Authority. At no time shall the three commercial units as shown be "knocked through" and provided as one or more large unit. The three commercial units shall be retained in their approved layout form.
  - 4 Prior the commencement of any use within use class A3 or A5 to the Town and Country Planning (Use Classes) Order 1987 (as amended) details of a mechanical extraction system to be provided to the kitchen area, together with details of all fume extraction and ventilation equipment, shall be submitted to the Local Planning Authority. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority and shall be fully implemented and installed prior to the commencement of any use within Use Class A3 or A5 to the Town and Country Planning (Use Classes) Order 1987 (as amended) hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.
  - 5 No security shutters or grilles shall be erected to the outside exterior of the building hereby approved.
  - 6 The development hereby permitted shall only accept deliveries of goods to be sold between the hours of 0700 hours and 2300 hours from Monday to Saturday inclusive and at no time on Sundays.
  - 7 The use of the development hereby permitted shall only be open to the public between the hours of 0700 hours and 2300 hours on any day.
  - 8 Prior to the beneficial use of the development commencing there shall be provided 1.5m x 1.5m pedestrian visibility splays to both sides of the vehicular access at the rear of the highway boundary.

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- 9 Prior to the commencement of works on the site the applicant shall indicate in writing to the Local Planning Authority an area within the curtilage of the site for the parking of operatives' vehicles and the reception and storage of materials clear of the highway.
- 10 Prior to the commencement of works on the site the applicant shall indicate in writing to the Local Planning Authority the means by which the wheels of construction vehicles leaving the site shall be cleansed.
- 11 Prior to the beneficial use of the development commencing the car parking area indicated on the submitted plans, including any parking spaces for the mobility impaired, shall be hard surfaced, sealed and marked out in parking bays. The car park shall be retained in this form at all times. The car park shall not be used for any other purpose other than the parking of vehicles that are related to the use of the development.
- 12 Prior to the first occupation of the development the applicant shall implement a transport information and marketing scheme for sustainable transport for the residential element of the development hereby permitted, in accordance with details to be approved by Essex County Council and to include vouchers for 12 months free bus travel within the applicable zone (covering the relevant zone as set out by the Local operator and Essex County Council) for each eligible member of every residential household, valid for exchange during the first 6 months following occupation of the individual flats. Details of the take up of the vouchers shall be provided to Essex County Council's Travel Plan Team on a 6 monthly basis as indicated in Policy F32 Essex Road Passenger Transport Strategy 2006–2011.
- 13 Prior to the commencement of the development a scheme for the provision and implementation of water resource efficiency shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.
- 14 Prior to the commencement of the development a scheme for the provision and implementation of energy and resource efficiency, during the construction and operational phases of the development, shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
- 15 Prior to the commencement of the development the applicant shall provide details for the means of enclosure to the ground floor amenity space as shown on the submitted plans and to the Local Planning Authority. Such details shall include the provision of low rise metal railings with gates and low rise planting. The development shall be implemented in accordance with such details and shall be retained as such thereafter. At no time, unless as may be agreed by the Local Planning Authority, shall any alternative fence or enclosure or planting be provided and exceed a height of 1 metre.

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**REASON FOR DECISION**

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

**Relevant Development Plan Policies and Proposals**

HP2, HP6, HP8, HP11, HP17, SAT2, SAT6, SAT8  
Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

Supplementary Planning Document 2 Housing Design (January 2006)

Parking Standards Design and Good Practice September 2009 – Essex County Council and Essex Planning Officers Association

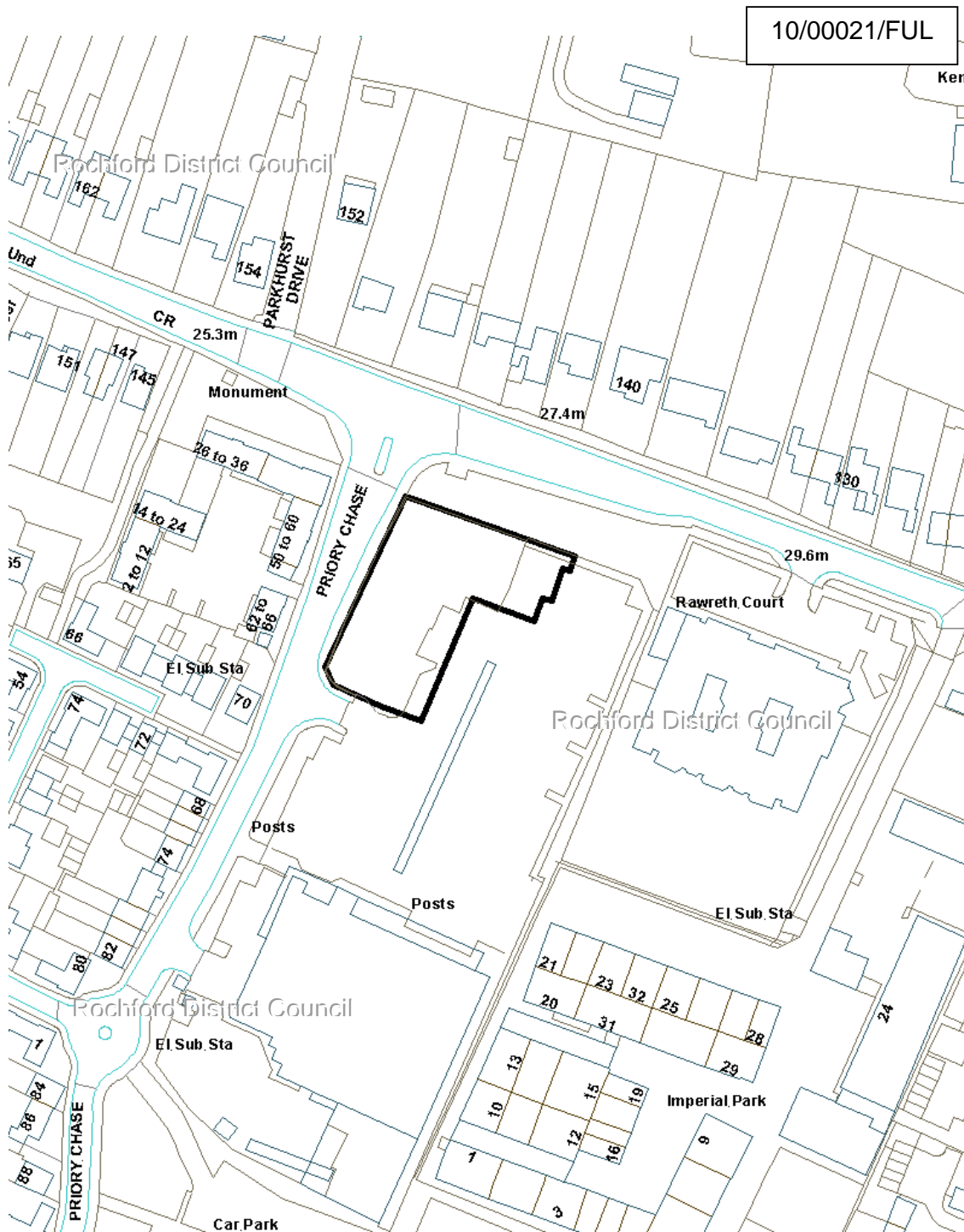


Shaun Scrutton  
Head of Planning and Transportation

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For further information please contact Mike Stranks on (01702) 318092.

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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.**