



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
DEVELOPMENT CONTROL COMMITTEE 24th April 2007**

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

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

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

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



Ward Members for Committee Items

FOULNESS AND GREAT WAKERING

Cllr T E Goodwin

Cllr C G Seagers

Cllr Mrs B J Wilkins

HOCKLEY CENTRAL

Cllr K H Hudson

Cllr J Thomass

Cllr Mrs C A Weston

RAYLEIGH CENTRAL

Cllr Mrs P Aves

Cllr A J Humphries

WHITEHOUSE

Cllr S P Smith

Cllr P F A Webster

REFERRED ITEMS

- | | | |
|----|---|--------|
| R1 | 07/00076/COU
Change of Use and Alterations to the Building to
Facilitate the Creation of a 12 Lane TEN-PIN Bowling
Complex with Ancillary Facilities.
7 to 10 Eldon Way Hockley | PAGE 4 |
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SCHEDULE ITEMS

- | | | |
|---|---|----------------------------|
| 2 | 07/00285/FUL
Erect a Terrace of 4 x 2 Bed Cottages as a Revision
to 2 x 3 Bed (semi-detached) Approved Under
05/00522/FUL. Remodelling Car Park from Approved
05/00522/FUL to Provide 4 Additional Spaces.
Re-Instatement Of The Pond Between The Cottages
And The Whitehouse.
Revoke Planning Permission 05/00013/COU (Change
Outbuilding Fronting Whitehouse Chase to 2
Bedroom Property). This Outbuilding to be re-
associated with The Whitehouse thereby Increasing
the Curtilage of The Whitehouse
Land East Of 154 Eastwood Road Rayleigh | Leigh Palmer
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| 3 | 07/00159/FUL
Redevelopment of the Site to Provide 19 x 2 Flats
and 4 x 3 Bed Dwelling Houses within 4 Blocks,
Access, Amenity Space and the Provision of 35 Car
Parking Spaces.
Service Garage Southend Road Great Wakering | Mr Leigh Palmer
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| 4 | 07/00230/FUL
2 No. Four Bedroomed Houses With Integral Garages
(Revised Design and Layout 06/00678/FUL)
133 Eastwood Road Rayleigh | Catherine Blow
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REFERRED ITEM R1

TITLE : 07/00076/COU
**CHANGE OF USE AND ALTERATIONS TO THE BUILDING
TO FACILITATE THE CREATION OF A 12 LANE TEN PIN
BOWLING COMPLEX WITH ANCILLARY FACILITIES
7 TO 10 ELDON WAY HOCKLEY**

APPLICANT : MR CRAIG HUBBARD

ZONING : EMPLOYMENT LAND

PARISH: HOCKLEY PARISH COUNCIL

WARD: HOCKLEY CENTRAL

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

This application was included in Weekly List no 874 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on 10 April 2007, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs H L A Glynn.

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

- 1.1 **Hockley Parish Council:** Members generally in favour as thought it may relieve some of anti-social behaviour. They have concerns re lack of car parking spaces - application states 17 which they consider inadequate. If application is approved applicant should satisfy Council that adequate parking space within Eldon Way is available. Some insulation work may be necessary to prevent nuisance to nearby residential properties. Unclear as to opening hours.

NOTES

- 1.2 Planning consent is sought for the change of use and alterations to the building to facilitate the creation of a 12 lane Ten Pin Bowling complex with ancillary facilities.
- 1.3 The applicant has submitted a car parking layout indicating 15 full-time places plus 10 parking spaces that could be used after business hours when other uses on the estate are closed. It is also the applicant's intention to operate the proposed use between 0800 hours and 2400 hours, seven days a week.

REFERRED ITEM R1

- 1.4 The site is situated in a block on the western side of Eldon Way Industrial Estate, an area designated for industrial use in the Rochford District Local Plan, namely B1, B2 and B8 uses (employment uses). The proposed use would fall within Class D2 assembly and leisure). Currently there are a gym, snooker hall and Children's indoor adventure play centre already on the estate.
- 1.5 The applicant has submitted a statement from the owner of the property claiming that it has been difficult to let long-term for industrial use due to its size and location close to residential properties. The proposed use would bring a large unit on the industrial estate back to a beneficial use.
- 1.6 Applying the adopted car parking standards to this development (1 space per 22m²), a standard of 73 spaces would be required. Of the 15 full-time spaces shown on the parking layout only 13 are feasible as spaces nos. 14 and 15 are double-parked; this is 18% of the standard. With the extra evening parking (23 spaces in total) only 31.5% of the standard is achieved.
- 1.7 Notwithstanding the above, the application states that there will be 10 staff. If all of the staff utilise parking spaces then there would be 3 full-time and 13 evening spaces left for customers using the bowling alley.
- 1.8 County Highways have no objection to the proposal subject to it "...being not contrary to Policies CS5, T1, T3, T6, T7, T8 and T12 of the Essex & Southend-on-Sea Replacement Structure Plan." Policy T3 states that development "...should not result in a deterioration of the traffic conditions within the surrounding areas." Officers, when carrying out site visits relating to this application, have witnessed cars illegally parked on pavements and there are some concerns with parking and safety issues on the estate which have exacerbated since the opening of the indoor adventure play centre at no.14 Eldon Way.
- 1.9 The Design & Access Statement states: "In this most sustainable location it would seem unreasonable to make on-site parking provision an issue" and 5.11 advocates "public transport, walking and cycling"; however, there is no secure cycle parking on site.
- 1.10 The Replacement Essex & Southend-on-Sea Structure Plan (RSP), as adopted in April 2001, allocates 35 hectares of employment land (classes B1, B2 and B8) to the Rochford district in policy BIW1 for the period between 1996 and 2011. Eldon Way is one of the industrial sites allocated by the Council to meet the RSP requirement.
- 1.11 The proposed development is contrary to the policies in the adopted Rochford District Replacement Local Plan, most notably EB1, which seeks to protect existing employment sites. In the light of the likely figures in the 'East of England Plan', the district will have to find land for a further 3000 new jobs over the period 2001 to 2021. Losing further employment land may hinder this process.

REFERRED ITEM R1

- 1.12 There are already leisure uses on Eldon Way, namely: gym, snooker hall and children's indoor adventure play centre and it is considered that approval of this proposal would result in leisure uses permeating further into Eldon Way, the consequence of which would be the loss of valuable industrial designated land.
- 1.13 Notwithstanding the parking and loss of industrial land issues it is considered that the proposed unsociable opening hours close to residential properties may affect the amenity of the residents of those dwellings in the vicinity.
- 1.14 Policy LT8 (Indoor Sports & Leisure Facilities) of the Local Plan is a permissive based policy subject to criteria. It is considered that the application fails criteria (i), (ii) and (iv) of this policy with regard to any benefit outweighing the loss of employment land, adequate off-street parking and impact regarding noise disturbance on the locality.
- 1.15 **County Surveyor (Highways):** Have no objection subject to highway conditions being attached to any approval seeking to control:-
- Wheel washing;
 - Indication in writing where parking and storage of vehicles and building materials;
 - Marking out and sealing in bound materials of parking areas;
 - and also not being contrary to Structure Plan Policies CS5, T1, T3, T6, T7, T8 and T12.
- 1.16 **Local Plans:** Development is contrary to policies in Rochford District Replacement Local Plan, namely EB1, LT8 and SAT1 which seek to protect existing employment sites, provide sufficient benefit to outweigh the loss of the existing land use and the application site is outside the town centre boundary.
- 1.17 **Environmental Services:** No objection in principle subject to conditions regarding sound insulation and external equipment and openings in external walls.
- 1.18 **Essex Police:** No objections but recommend the development be subject to 'Secured by Design' certification as it also has a bar on the premises.
- 1.19 **Essex County Fire & Rescue:** No comments.
- 1.20 **Neighbours:** 9 representations have been received, the main points being:-
- Wonderful idea, easy to walk to and safer than on main road;
 - Parking facilities not sufficient;
 - Cars parked illegally on pavement;
 - Already cars using snooker club in evening are using parking areas of existing industrial units;
 - Already parking and safety issues with parents and children using Monkey Business (a children's activity centre);
 - Area intended for industrial use; would be a contravention of that use;

REFERRED ITEM R1

- Already encountered vandalism;
- Will escalate youth problems;
- Noise nuisance; also from air conditioning (if installed) or open windows; will noise insulation completely sound proof the building?
- Food smells;
- Too close to residential properties;
- Will not improve quality of life for residents;
- Will not enhance the character of the area;
- 'Ancillary facilities' translate to 24/7 drinking;
- Catchment area will be from outside Hockley and therefore will result in increased traffic;
- Environmental impact - energy used would contribute to global warming;
- Since the installation of the Snooker Club, and public coming into the estate at night, vandalism including broken windows, emptying of rubbish bins and littering with drink bottles has occurred; a bowling complex would exacerbate this;
- Advantages are outweighed by disadvantages
- Opening times not known;

REFUSE

- 1 The proposal, given that it does not relate to an employment generating use (B1, B2, B8), will lead to a proliferation of non-employment generating uses and loss of designated employment land. This would be contrary to policy EB1 of the Rochford District Replacement Local Plan and Policy BIW1 of the Essex and Southend Replacement Structure Plan.
- 2 The application's proposed 15 full-time and 10 after-business hours car parking spaces is considered not to meet the Rochford District Council's Vehicle Parking Standards of 1 space per 22m² (equal to 73 spaces) and given this shortfall and balanced with an assessment of proximity to public transport the proposal is likely to result in significant indiscriminate on-street parking which would be harmful to the functioning of the industrial area.
- 3 It is considered that the proposed late night opening hours, when the rest of the estate is not open and the ambient noise levels are therefore low, and the site's proximity to existing residential properties, will adversely affect the amenity of the residents of nearby properties.

Relevant Development Plan Policies and Proposals

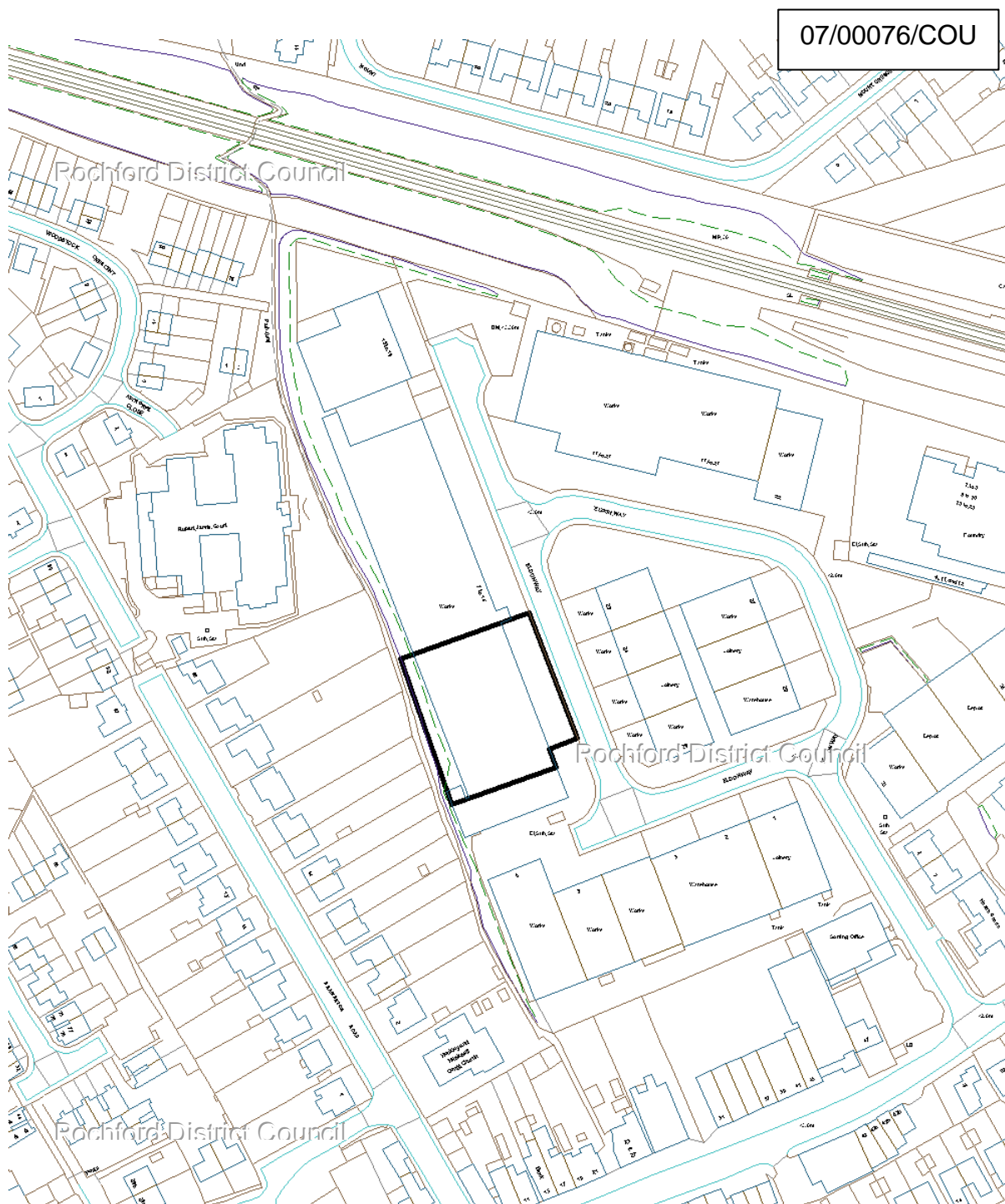
EB1, LT8, SAT1, of the Rochford District Council Adopted Replacement Local Plan

BIW1, BIW2, CS5, T3, T6, of the Essex Structure Plan Adopted 2nd Alteration



Shaun Scrutton
Head of Planning and Transportation

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



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SCHEDULE ITEM 2

TITLE : 07/00285/FUL
ERECT A TERRACE OF 4 X 2 BED COTTAGES AS A REVISION TO 2 X 3 BED (SEMI-DETACHED) APPROVED UNDER 05/00522/FUL. REMODELLING CAR PARK FROM APPROVED 05/00522/FUL TO PROVIDE 4 ADDITIONAL SPACES.
RE-STATEMENT OF THE POND BETWEEN THE COTTAGES AND THE WHITEHOUSE.
REVOKE PLANNING PERMISSION 05/00013/COU (CHANGE OUTBUILDING FRONTING WHITEHOUSE CHASE TO 2 BEDROOM PROPERTY). THIS OUTBUILDING TO BE RE-ASSOCIATED WITH THE WHITEHOUSE THEREBY INCREASING THE CURTILAGE OF THE WHITEHOUSE LAND EAST OF 154 EASTWOOD ROAD RAYLEIGH

APPLICANT : CHURCHGATE HOLDINGS

ZONING : RESIDENTIAL

PARISH: RAYLEIGH

WARD: WHITEHOUSE

DENSITY 31 Dwellings per hectare 13 dwellings per acre over the whole of the whole development site

PLANNING APPLICATION DETAILS

- 2.1 Members may recall planning application 05/00522/FUL which proposed the:-
- 2.2 *'Demolition of Existing Barn/Cart-lodge and Greenhouses and the Redevelopment into 16 Flats and a Pair of Semi-detached Cottages, New Cart-lodge, Removal of Existing Boundary Fence to the Rear of Block B and Access onto Eastwood Road.'*
- 2.3 This development replaced the greenhouses and barn building that occupied the site adjacent to the White House (Listed Building). This development is under construction and has access onto Eastwood Road.
- 2.4 The approval given (05/00522/FUL) consented to a pair of semi-detached cottages to the south east of the pond and adjacent to the properties in Nevern Road. However, during the construction of this approved scheme the developer has begun to construct the pair of cottages as four individual cottages. So in essence this application is retrospective.
- 2.5 To facilitate the two additional units four additional parking spaces are proposed as an extension to the approved car parking court, adjacent to the ornamental pond.

SCHEDULE ITEM 2

- 2.6 Members may recall that the ornamental pond that existed on this site was filled in during the construction process; this scheme proposes that the pond is to be recreated, although no specific details are submitted in relation to the depth of and or landscaping around the pond; this is covered by planning condition.
- 2.7 In the determination of the application 05/00522/FUL it was considered appropriate to assess the merits of the scheme with another application for the development of the rear part of the site; planning application reference 05/00514/FUL for the
- 2.8 *Redevelopment of the Site to Provide 6 Detached Two Storey Dwellings, with Access onto Whitehouse Chase.*
- 2.9 In assessing both of these applications the Councils affordable housing policy did not apply given the threshold of proposed residential unit number was below the threshold of 25 units. Since the adoption of the Local Plan, a new national planning policy has been published that sets the site threshold for the provision of affordable housing at 15 units. However, given the past history on this site, it is considered reasonable to continue to apply the Local Plan threshold to any assessment of provision of affordable housing.
- 2.10 This proposal adds a further two units on this site taking it above the parameters of policy HP8 (Affordable Housing). To offset the need for affordable housing the applicant is offering to revoke the planning permission 05/00013/COU which consented to the conversion of an existing outbuilding (former shed/stable block) fronting onto Whitehouse Chase. In revoking this permission the former shed/stable block would revert in its association and use to The Whitehouse and thereby increasing the curtilage and setting and appearance of the listed building from Whitehouse Chase.

RELEVANT PLANNING HISTORY

- 2.11 05/00522/FUL *Demolition of Existing Barn/Cart-lodge and Greenhouses and the Redevelopment into 16 Flats and a Pair of Semi-detached Cottages, New Cart-lodge, Removal of Existing Boundary Fence to the Rear of Block B and Access onto Eastwood Road.* Granted 08/12/05
- 2.12 05/00514/FUL *Redevelopment of the Site to Provide 6 Detached Two Storey Dwellings, with Access onto Whitehouse Chase.* Granted 08/12/05
- 2.13 05/00013/COU *Conversion of Existing Outbuilding into One Self Contained 2 - Bed Property Including the Insertion of New Windows* Granted 21/02/05

CONSULTATIONS AND REPRESENTATIONS

- 2.14 **County Highways Officer:-** De-minimis.

SCHEDULE ITEM 2

MATERIAL PLANNING CONSIDERATIONS

- 2.15 The application is located with the residential zone of Rayleigh and as such the principle of residential development is acceptable in principle.
- 2.16 The additional units proposed would result in the density across the whole development site of 31 dwellings per hectare (13 dwellings per acre), this level of density falls within the requirements of PPS3 (housing) which outlines that development sites should achieve a minimum of 30 dwellings per hectare. It is considered that the proposal is acceptable on density grounds.
- 2.17 The spatial standards of the Local Plan are met in terms of garden sizes and separation and car parking.
- 2.18 In terms of the use of the access onto Eastwood Road and the engineering layout of the proposed extended car park the County Highways Officer has no objections to this proposal.
- 2.19 The external silhouette of the proposed building and the location within the site are consistent with the previous approval. This scheme differs from the approval by way of internal alterations, revised entrance details and fenestration on the front elevation and revised windows and doors arrangement on the ground floor of the rear elevation; their are nor dormer windows within the rear roof slope. These changes are required to facilitate the creation of four units.
- 2.20 Given this, it is considered that the impacts upon the character of the site and surrounding area and impacts upon the occupiers of the neighbouring plots remains acceptable and would not be materially worse than the approved scheme.
- 2.21 The proposal would result in the number of residential units on this development site (Eastwood Road and Whitehouse Chase) being in excess of Policy HP 8 (Affordable Housing) and as commented in the planning application details above the applicant has offered to revoke an earlier planning permission for the conversion of a building on the Whitehouse Chase frontage and offer that building back to the White House.
- 2.22 Planning permission has already been given to the conversion of the outbuilding on the Whitehouse Chase into a new dwelling, and as such the impact upon the street scene and also upon the setting of the Listed Building has previously been considered and found to be acceptable. Given this, the applicants offer to revoke this consent to offset the requirement for affordable housing requirement across the site is given little weight in the assessment of this proposal.
- 2.23 The applicants also contend that the offer of this outbuilding will offset the pressure for garage type accommodation within the curtilage of the Whitehouse. To some extent this may be true however, given the Listed Building curtilage the Council retain control over development within this area so that its appearance and impact could be assessed at that stage.

SCHEDULE ITEM 2

- 2.24 The previous approvals for the redevelopment of this site provided for a total number of units below the affordable housing this proposal would take the unit number across the site to 26 units plus the change of use unit; this is above the affordable housing threshold and given that the site is being contemporaneously developed it is considered appropriate that the affordable housing requirements of the Local Plan should be applied to this site.
- 2.25 The application of the affordable housing policy for this site would require the provision of 4 units to be made available. Given the absence of this provision the application is considered to be unacceptable and should be refused on the lack of affordable housing provision.

CONCLUSION

- 2.26 There is no objection to the design and appearance of the proposed additional dwellings. The impacts upon the character of the site and surrounding area are acceptable. The additional car parking spaces and the use of the access onto Eastwood Road is acceptable and does not raise any issues with the County Highways Officer.
- 2.27 The applicants offer to revoke the residential consent for the outbuilding on the Whitehouse Chase frontage is given little weight in this application as its loss/conversion has previously been accepted.
- 2.28 The scheme does not comply with the Council's affordable housing policy, and as such is considered to be unacceptable on this issue

RECOMMENDATION

- 2.29 It is proposed that this Committee **RESOLVES** to **REFUSE** the application for the following reasons:-
- 1 The proposal fails to make the infrastructure provision (affordable housing) at the site and is considered therefore to be contrary to the provisions of Local Plan Policy HP8 which aim to deliver mixed developments on suitable sites.

Relevant Development Plan Policies and Proposals

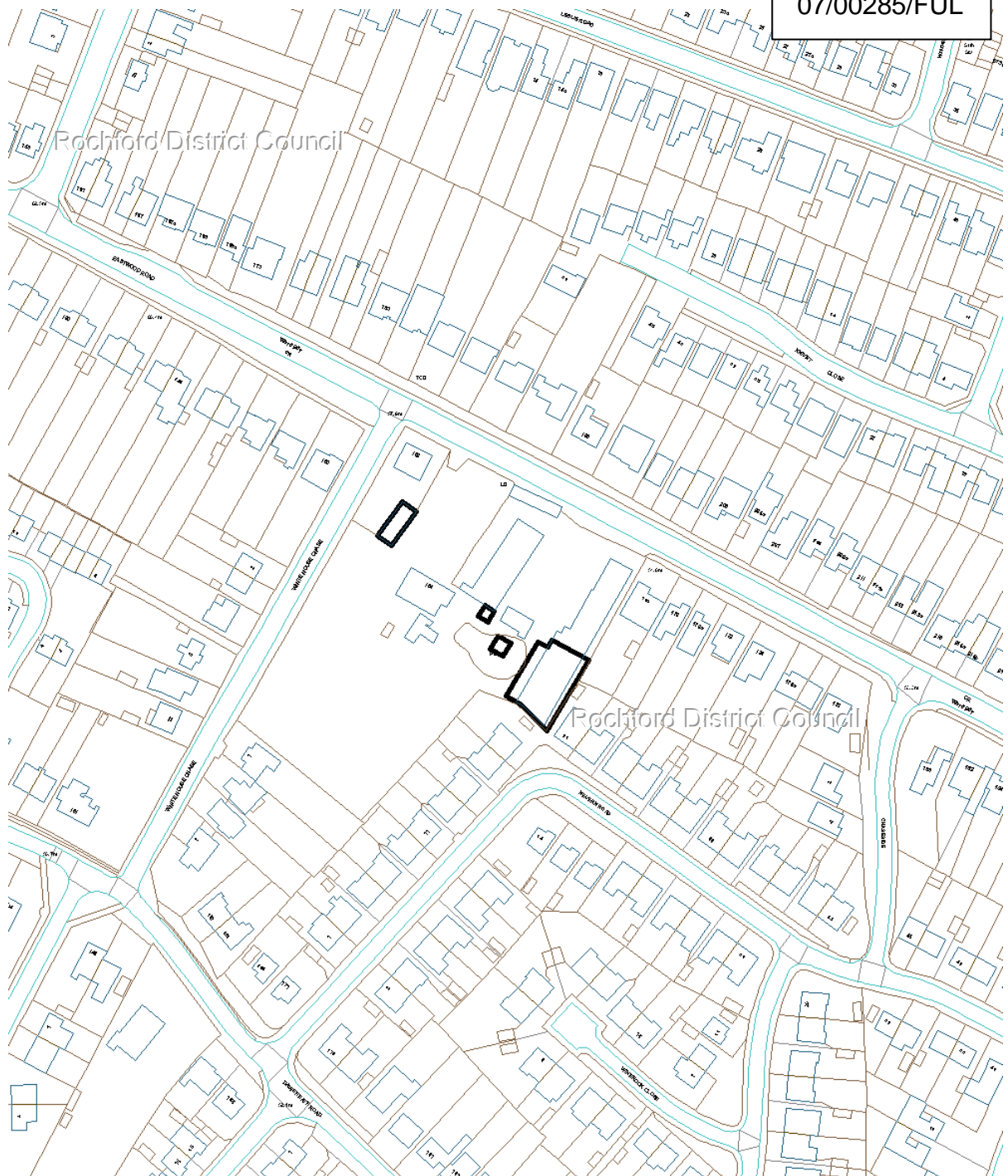
HP6, HP8 of the Rochford District Adopted Replacement Local Plan (2006)



Shaun Scrutton
Head of Planning and Transportation

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

07/00285/FUL



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SCHEDULE ITEM 3

TITLE :	07/00159/FUL REDEVELOPMENT OF THE SITE TO PROVIDE 19 X 2 FLATS AND 4 X 3 BED DWELLING HOUSES WITHIN 4 BLOCKS, ACCESS, AMENITY SPACE AND THE PROVISION OF 35 CAR PARKING SPACES SERVICE GARAGE SOUTHEND ROAD GREAT WAKERING
APPLICANT :	RYAN DEVELOPERS (CIRCLE ANGLIA)
ZONING :	RESIDENTIAL
PARISH:	GREAT WAKERING
WARD:	FOULNESS AND GREAT WAKERING
DENSITY	Site Area of 0.6H (1.5acres) 07/00159/FUL (23 units) 88 Units Per Hectare 38 DPA (Current Scheme) 06/00773/FUL (24 units) 92 Units Per Hectare 40 DPA Refused) 04/00685/FUL (23 units) 88 Units Per Hectare 38 DPA (Approved)

PLANNING APPLICATION DETAILS

SITE AND SURROUNDING AREA:

- 3.1 The site was formerly used as a petrol filling station with vehicle repairs garage with retail shop and second hand sales from the forecourt. Petrol sales have now ceased but all other uses remain at present.
- 3.2 This application follows the refusal of a similar application 06/00773/FUL; this was refused for three reasons relating to insufficient amenity space, insufficient and poorly designed car parking and a lack of information relating to site contaminants. The reasons for refusal of this application are reported in full in the history section below.
- 3.3 Planning permission is sought for the redevelopment of the site into a mix of dwelling houses and flats in four separate building blocks.
- 3.4 Since the previous refused scheme the threshold of 25 units specified in the adopted Local Plan as the starting point for any provision of affordable housing has been cut to 15 units by virtue of new national planning policy detailed in Planning Policy Statement 3 Housing.

SCHEDULE ITEM 3

Therefore if this site is to be developed for more than 15 units it would require an affordable housing contribution in accordance with national policy.

- 3.5 That being said the scheme has been submitted by Circle Anglia, a Registered Social Landlord; all of the units are to be provided on a shared ownership basis and therefore fall into the category of affordable housing as per the definition in PPG3.

SHARED OWNERSHIP

- 3.6 The applicant have confirmed that for them shared ownership means:-
- 3.7 *Shared ownership enables people on low incomes to take their first step on the property ladder. They buy a share of the property and pay subsidised rent on the remainder, with the option to buy further shares until they own the property outright... Circle Anglia manages 25,591 general needs properties across London, Hertfordshire, Bedfordshire, Cambridgeshire, Norfolk, Suffolk and Essex. These are aimed at individuals, couples and families who need affordable accommodation but don't need extra support to maintain their tenancy'*

BUILT FORM

- 3.8 In broad terms the site is square in its form and is to be accessed by a drive off Southend Road to the front of the site; this drive runs in a rough cruciform layout and divides the site into four quarters. The access drive is in a central location with blocks B & C being located within the front two quarters of the plot and therefore these are the ones that provide the new street scene with blocks A & D forming the remainder of the scheme with development in depth for the rear two quarters of the plot.
- 3.9 Block A – rear block 'L' shaped 4 X 2 Bed flats, two storey in height with access to car park court and access to communal garden space. This block includes repeated architectural features, window pattern, door location with pitched roof and chimneys. This block is connected to block D by a covered walkway and faces to the rear of the plot with views over the adjacent green belt land. One flat at first floor level facing onto Southend Road has access to a private balcony.
- 3.10 Block B – front block west (adjacent to 1 Townsfield Villas) 'L' shaped 6 X 2 Bed flats, two storey in height with access to a car park court and access to communal garden space. This block has the foot of the 'L' shaped footprint running parallel to Southend Road and has the external appearance of two-storey housing albeit containing 6 flats. The leg of the 'L' shaped footprint runs deeper into the plot perpendicular to Southend Road. One flat at first floor level facing Southend Road have access to a balcony.
- 3.11 Block C - front block east (adjacent to 337 Southend Road) 'L' shaped 9 X 2 Bed flats, three storey in height with access to a car park court and access to communal garden space.

SCHEDULE ITEM 3

- 3.12 The short foot of the 'L' shaped footprint runs perpendicular to Southend Road with the longer leg of the 'L' running parallel to Southend Road behind frontage car park court. Three flats at first and second floor level on the frontage to Southend Road have access to balconies.
- 3.13 Block D – rear block straight terrace of 4 X 3Bed dwellings two storey in height with two off street spaces per dwelling and private rear garden space. This terrace includes repeated architectural features, window pattern, door location with pitched roof and chimneys and projecting gable features. This block is located to the rear of block C and has its frontage looking out over the adjacent green belt land to the south of the site; its private amenity space is to the rear of this terrace and sited into the body of the site.
- 3.14 The four blocks have pitched roofs, except Block C where a parapet has been introduced in part and a lowered eaves line with dormered window heads breaking through the eaves line to allow a lower ridge height to minimise the impact on the surrounding area. The external finishes comprise brick plinths, white render/facing brickwork to walls and plain clay tiles/concrete interlocking tiles to the pitched roofs. Feature walls/projections are to be clad with white weatherboarding.
- 3.15 Given the sites' previous uses it is likely that there may be soil contaminants; and following one of the reasons for refusal on the previous application this submission is supported by a report that outlines the nature of the site with reference to site/soil contaminants and also advises on excavation and build techniques. The applicant along with The Environment Agency acknowledges the need for further exploratory work to be undertaken if planning permission is given and this matter can be controlled by planning conditions attached to any approval.
- 3.16 The scheme is also accompanied by a report that confirms that there are no protected species on the site.

ACCESS AND CAR PARKING

- 3.17 The proposed layout has been revised to increase the number and usability of the car parking spaces across the site, in an attempt to overcome the concerns raised in the previous refusal.
- 3.18 As commented above the terrace of three bedroom dwellings has two off street car parking spaces per unit (200%).
- 3.19 The remainder of the flats have access to garage courts providing in total 26 spaces this equates to approximately (150%) including 3 visitor and 3 disabled parking bays.
- 3.20 This level of provision meets the Local Plan car parking criteria.

AMENITY SPACE

SCHEDULE ITEM 3

- 3.21 The proposed layout has been revised to increase the extent of useable communal amenity space for the blocks. The useable amenity space for Blocks A & B has been increased from 100sqm on the previous refusal to 260sqm now proposed.
- 3.22 Across the entire development the scheme complies with the Local Plan amenity space standard.
- 3.23 Block A
Provides amenity space in one communal block in excess of the Local Plan standard.
Blocks B & C The layout of these blocks has been revised resulting in an increase in useable amenity space, resulting in a deficiency of 15sqm compared to the Local Plan standard.
Block D The amenity space for the block of terrace houses is provided in a private form to the rear of each unit and meets the Local Plan standards.

RELEVANT PLANNING HISTORY

- 3.24 **04/00062/FUL** Demolition of existing petrol service garage and associated outbuildings, construct 21 2 bed flats and retail unit in two blocks REFUSED 30/06/04
- 3.25 **04/00685/FUL** Demolish existing petrol service station, garage and outbuildings, construct new building containing 8 X 2-bed self contained flats and 10 X 1-bed self contained flats on the ground floor and first and 3 X 2 bed and 2 X 1 bed flats on the second floor GRANTED January 2006-11-06
- 3.26 This application consented to the redevelopment of the service garage site into 23 flats with 100% off street car parking spaces. This application was received in 2004 and was subject to a legal agreement in respect of the provision of a 'real time' bus stop to the front of the site and was ultimately granted permission in January 2006.
- 3.27 The previous scheme proposed the redevelopment of the site for flats in a single 'T' shaped footprint building.
- 3.28 **06/00773/FUL** Demolish Existing Car Dealership, Garage and Outbuildings. Erect Four Buildings Consisting of 4 x 3 Bedroom and 5 x 2 Bedroom Houses and 15 x 2 Bedroom Apartments and 3 Carports. The Scheme Provides a Total of 29 Parking Spaces.
REFUSED 30th November 2006 for the following reasons:-
- 1 The proposals make insufficient provision for amenity space for the flatted element of this scheme, and so would be detrimental to the amenities enjoyed by prospective occupants of this development as well as be out of character with the prevailing pattern of the development in the surrounding area.

SCHEDULE ITEM 3

- 2 The site is located in an area with poor off peak public transport links and as such there is the likely-hood that there would be a heavy reliance on the use of the private motor vehicle. Following from this it is considered that the scheme provides insufficient off street car parking to meet the likely need. In addition the layout of the parking spaces is such that they would be difficult to manoeuvre in and out; which would be likely to further compound the shortfall in off site spaces. This shortfall is likely to result in an increase in indiscriminate on street car parking which given the proximity of road junctions and roundabouts would be likely to cause highway safety issues.
- 3 The application is considered deficient in detail in terms of a site contaminant survey, including mitigation where appropriate, and in the absence of this information full consideration cannot be given to the suitability of the site for redevelopment for residential purposes.

CONSULTATIONS AND REPRESENTATIONS

- 3.29 **Building Control:-** Internal alterations can overcome fire issues.
- 3.30 **Head of Community Services:-** No objection subject to conditions controlling site investigation for soil contaminants.
- 3.31 **Engineers:-** No objections.
- 3.32 **Environment Agency:-** No objections.
- 3.33 **County Highways:-** No objection subject to confirmation as to the size of the parking spaces.
- 3.34 **Woodlands:-** Any soft landscape needs to accurately plotted and specified in accordance with the best practise advice, no ecological issues.
- 3.35 **Natural England:-** No objections to the proposal in terms of legally recognised protected species.
- 3.36 **County Urban Designer:-** Acknowledges that the change of use to residential is positive but it is important that any proposals are developed in context and sympathy with the surrounding area, and in this context they question a number of points:-
- The sustainability of the site
 - 3 storey element being out of character
 - density appears high for the location
 - car parking areas are large without any opportunity for screening/landscaping.
 - Amenity space is limited.

SCHEDULE ITEM 3

- 3.37 OFFICERS COMMENTS:- These comments should be balanced against the existing scale and nature of the development on the site and also against the existing approval for a two - three storey block containing 23 flats. It is considered that the principle of three-storey development, at a density of 88 units per hectare and large car park courts has been accepted on the previous approved scheme. Notwithstanding this the applicant has amended the scheme to increase the landscaping and screening to and around the car park courts in order to improve the setting of the site and surrounding area.
- 3.38 7 letters have been received commenting in the main on the following issues:-
- Invade privacy of back gardens
 - Drainage
 - Noise
 - Property devaluation
 - Too many properties on too small a site
 - Local services can not cope
 - Insufficient car parking
 - Traffic hazard with roundabout nearby
 - Risk to users of the footpath
 - New housing close to industrial floorspace may be source of complaints.
 - It is inevitable that the site will be developed for flats
 - Would like brick wall boundary in order to secure privacy
 - 3 storey and balconies are out of character with the area

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

- 3.39 RESIDENTIAL:-
In line with government advice, the development plan policies and the location of the site there is no objection in principle to the redevelopment of this site for residential purposes.
- 3.40 There is no substantive planning reason why flats could not be accommodated on this site. The principle of flatted development has previously been accepted 04/00685/FUL.
- 3.41 In addition there is no objection to the principle of the site being able to support a greater density, within limits, than the neighbouring plots, as this would seek to maximize the use of developable land within the district, which will in turn relieve the pressure on the release of green belt land.
- 3.42 The previous approval consented to a density of approximately 88DPH this scheme proposes the same density given the same number of units are now being proposed. However it should be acknowledged that the residential mix has changed from 11 x 2 bed flats and 12 x 1-bed flats, 23 units (34 beds) in total on the previously approved scheme to (04/00685/FUL) to 19 x 2-bed flats and 4 x 3-bed houses, in total 23 units (50 beds).

SCHEDULE ITEM 3

- 3.43 This change to the mix of type of properties within the scheme will result in number of bedrooms increasing from the 34 previously approved to a total of 50. This would be likely to increase the number of people able to reside at the site, which may increase the activity, noise and disturbance at the site.
- 3.44 Given the revisions to the layout, including the additional amenity space and off-street parking in a more useable configuration than the previously refused scheme it is considered that any increase in activity resulting from the increased number of bed spaces could be accommodated and absorbed without any material harm caused to the occupiers of these new properties or the occupiers of the existing nearby residential properties.
- 3.45 **LOSS OF THE EXISTING BUSINESS:-**
Whilst the Local Plan comments on the desire to support local businesses within the District there are no policies relating to existing business on this application site requiring that they be retained and/or provided elsewhere to meet the needs of the local community. The site is allocated for residential purposes in the Local Plan. The principle of the loss of the commercial businesses at this site has been accepted on the previously approved scheme for the residential redevelopment of the site. A refusal based on the loss of the existing businesses could not be substantiated. Whilst not forming part of the application the existing operator of the service garage is looking to relocate elsewhere in Great Wakering subject to the availability of a suitable site.
- 3.46 **SCALE OF THE PLOT/BUILDING & CHARACTER OF THE AREA:-**
The application plot is a significant site within the residential area of Great Wakering and due to its size and also the large buildings that are present on the site, as a development plot within the Great Wakering residential zone it is quite unique.
- 3.47 Given this unique character it is considered that the site could accommodate substantial development, greater in scale than the prevailing pattern of development (two storey single family dwelling houses) without necessarily being out of character with the wider area. This is evident by the approval given for a large 3-storey development comprising 23 flats (04/00685/FUL).

Height/Street Scene:-

- 3.48 As commented above this scheme proposes a different design solution to that previously accepted (04/00685/FUL). It now proposes four individual and detached blocks rather than one 'T' shaped block of up to three-storey development containing 23 flats.
- 3.49 As commented above this a unique development site within the Great Wakering residential zone, comprising large repairs/servicing buildings, large sales building and petrol forecourt with high canopy over the forecourt. The repairs/servicing building is an industrial scale building set deep within the plot with the petrol forecourt and the canopy being positioned to the front of the plot.

SCHEDULE ITEM 3

- 3.50 Given the existing site features with built development to the front and rear of the existing residential building line it is considered that the division into single blocks and their design, size and location within the plot are such that the development is acceptable and would not be visually intrusive into the street scene in particular, nor out of character with the wider character of the village in general.
- 3.51 The layout of individual frontage blocks is such that there is a significant degree of separation which assists in reducing the mass/bulk of these blocks. In general terms the front and rear building lines of the adjacent properties has been respected and where there is development to the front and rear of these building lines, the 45-degree angle from the adjacent properties is not breached.

Relationship with neighbouring properties:-

- 3.52 One of the key assessments in this application is whether the new buildings respect existing residential amenity, and whether harm caused, if any, is sufficient to substantiate a refusal. This assessment should also balance the impacts from the previously approved scheme as well as the existing use of the site.
- 3.53 **ACTIVITY/NOISE:-**
The existing uses on the site amount to non-conforming uses within the residential area as identified by the site's residential allocation within the Local Plan. The existing operations at the site are uncontrolled by planning conditions and often result in vehicle movements and activity at unsociable hours of the day, and as such their removal from the plot should be supported as matter of principle, in that it would improve the residential amenity of the wider area.
- 3.54 It is considered that a residential use as proposed would, in terms of activity at the site, be a lot less than that connected with the existing business and even with the possible increase in residential activity over the previously approved scheme remain acceptable and the residential redevelopment of the site would therefore help to maintain the existing residential amenity of the area.

PHYSICAL BUILDING:-

Assessment of impact upon properties to the east.

- 3.55 Block C, to enable an increase in the useable residential amenity space at the site, has been moved closer to the front of the site. Notwithstanding this revised location, it is offset from the boundary at its closest point by some 4m; there should not be any material loss of residential amenity.
- 3.56 Block C has bedroom windows some 15m from the common boundary of the site; these windows given their advance position would give views down the highway and across the front gardens of the neighbouring properties. As the front gardens are considered to be public zones, with views to/from the street, the overlooking from these windows would not be materially worse than from the existing windows on neighbouring properties.

SCHEDULE ITEM 3

- 3.57 In terms of Block D, this block is a terrace of two storey properties with bedroom windows facing the rear of 337 Southend Road. It is considered that given the location of these windows and the distance involved (21m -albeit slightly under the back to back distances (25m) within the Essex Design Guide) and the fact that the terrace is off set from the rear of No 337 Southend Road and therefore only affording oblique views over the rear garden/property, the impacts are acceptable and should not result in a material loss of amenity sufficient to justify a refusal.

Assessment of Impact Upon Properties to the West.

- 3.58 As with Block C, Block B has been re-sited towards the front of the site and remains a two storey building with an 'L' shaped footprint extending to the front and the rear of the adjacent properties No.s 1 & 2 Townsfield Villas. Given the separation of some 10–14m between the buildings, the 45 degree angle from the front and the rear not being breached, with intervening development (garaging, bin store and substation), the potential for overlooking from the upper floor bedroom windows of this block is considered to be acceptable and would not result in a material substantive loss of amenity sufficient to justify a refusal.
- 3.59 It should also be borne in mind that the existing buildings previously referred to which dominate the side boundary of 1 Townfield Villas will be removed.
- 3.60 In terms of Block A, there are first floor rear facing bedroom windows and one first floor lounge door/balcony that directly overlooks the bottom of the rear gardens of the adjacent properties. Given the distance involved and that they overlook the bottom of these long adjacent gardens a refusal based on loss of amenity would be difficult to substantiate. In addition any harm needs to be assessed against the existing use of the site (Service garage, MOTs, repairs, etc.) and the industrial scale of building that exists along this residential boundary. It is considered that removing the existing industrial scale building from the site, the siting of the proposed terrace would increase the available light to these adjacent rear gardens and therefore would be a significant improvement upon residential amenity.
- 3.61 The residential amenity of the occupiers of the adjacent properties could be further enhanced with the provision of an appropriate boundary treatment; this is covered by condition. It is recommended that boundary walls should be proposed for the boundaries of the site, as this would further add to the potential buffer between the development site and the adjacent rear gardens.
- 3.62 **Access - Layout and Parking:-** There is no objection in principle to the proposed access. The scheme approved in January 2006 proposed a parking provision of 100%, and was subject to a legal agreement requiring the provision of a 'real time bus stop' to be provided at the front of the site.

SCHEDULE ITEM 3

- 3.63 The County Highways Officer has verbally confirmed that given the nature of the development and the number of bed spaces within the scheme, added to the sites rural village location where public transport links are not extensive, there would be a high dependency upon the use of the private motor vehicle and to accommodate this a higher car parking standard should be adopted than that previously agreed (100%).
- 3.64 They acknowledge that the scheme may come forward and be developed by/with a Registered Social Landlord but their experience is that this would not necessarily result in a lower car ownership or use.
- 3.65 As commented above, the proposal is considered to be an improvement over the existing non-conforming uses at the site in terms of activity, noise and disturbance but the surrounding streets are uncontrolled in terms of parking restrictions.
- 3.66 The applicant has heeded this advice and has increased the off-street car parking provision to 200% for the dwelling house and approximately 150% for the remainder of the flats including 3 visitor spaces and 3 disabled spaces. The County Highways Officer considers that this level of car parking provision at the site would be sufficient to meet the likely need generated by this use.

Amenity Space:-

- 3.67 The amenity space across the development meets with the local plan requirements.

CONCLUSION

- 3.68 The principle of redevelopment for residential purposes has previously been accepted and remains acceptable.
- 3.69 The scheme has been revised following the previous refusal, with the extent of amenity space and car parking being increased. The scheme now complies with these elements of the Local Plan.
- 3.70 The density of the scheme in crude terms (number of units on the site) is not materially different from that previously approved; however the two schemes are considered to be materially different in terms of the size and type of the units and the site layout. Notwithstanding this the proposal now being considered remains acceptable.
- 3.71 There is no direct material harm to the street scene or to the amenities of the occupiers of the adjacent residential properties, when assessed against the existing use and buildings/structure that are present on the site.
- 3.72 Since the applicant is a registered social landlord, any requirements for the provision of affordable housing have been met.

SCHEDULE ITEM 3

3.73 RECOMMENDATION

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 No development shall commence, before details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved 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 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 enlargement of or the provision of additional windows, door or other means of opening shall be inserted on any flank elevation, including bay and dormer windows of the development hereby permitted, in addition to those shown on the approved drawings hereby approved.
- 4 No floodlighting shall at any time be installed and/or operated on any part of the site, except as in accordance with details showing the shielding and orientation of any light source away from neighbouring properties, which shall previously have been submitted to and approved in writing by the Local Planning Authority.
- 5 No development shall commence, before plans and particulars showing precise details of any gates, fences, walls or other means of screening or enclosure, to be erected around the perimeter of the site. These details shall include at least a 1.8m high brick wall to the flank boundaries of the site. These details shall be submitted to and approved in writing the Local Planning Authority. Such details of screening or other means of enclosure as may be agreed in writing by the Local Planning Authority, shall be erected prior to the first occupation of the flats to which they relate first being occupied and thereafter maintained in the approved form, notwithstanding the provisions of Article 3, Schedule 2, Part 2, 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).
- 6 The flats and dwelling houses hereby approved shall not be occupied before the car parking spaces shown on the approved drawings have been defined or otherwise marked on the finished surface of the car parking areas, in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the said car parking spaces shall be used solely for the parking of vehicles and for no other purpose which would impede vehicle parking.
- 7 No development requisite for the erection of the development hereby permitted shall commence, before plans and particulars showing precise details of a satisfactory means of surface water drainage (including attenuation measures if appropriate) for this site, have been submitted to and agreed in writing by the Local Planning Authority.

SCHEDULE ITEM 3

Any scheme of drainage details as may be agreed in writing by the Local Planning Authority, shall be implemented commensurate with the development hereby permitted and made available for use upon completion of the development hereby approved.

- 8 No development requisite for the erection of development hereby permitted shall commence, before plans and particulars showing precise details of a satisfactory means of foul water drainage for this site, have been submitted to and agreed in writing by the Local Planning Authority. Any scheme as may be agreed in writing by the Local Planning Authority, shall be implemented commensurate with the development hereby permitted and made available for use prior to the occupation of the development hereby permitted.
- 9 Prior to any development commencing:-
 - o A detailed contaminated land assessment, undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers' shall be carried out and submitted to the Local Planning Authority.
 - o The method statement and extent of the assessment shall be agreed in writing by the Local Planning Authority
 - o A scheme to remedy any contaminated identified by the assessment shall be agreed in writing by the Local Planning Authority.
- 10 The development shall be completed in accordance with the agreed scheme of remediation. Upon completion of the remediation, the developer shall submit a written report to the Local Planning Authority detailing the works carried out and the results of validation sampling.
- 11 On completion of the scheme of remediation, decontamination and reclamation of the site and prior to construction of any permitted buildings or associated infrastructure, a completed and signed Validation Certificate, as detailed in Appendix 2 of the Essex Contaminated Land Consortium's: Technical Guidance for Applicants and Developers, shall be submitted to the Local Planning Authority by both the applicant and the specialist company who have undertaken the site remediation.

REASON FOR DECISION

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

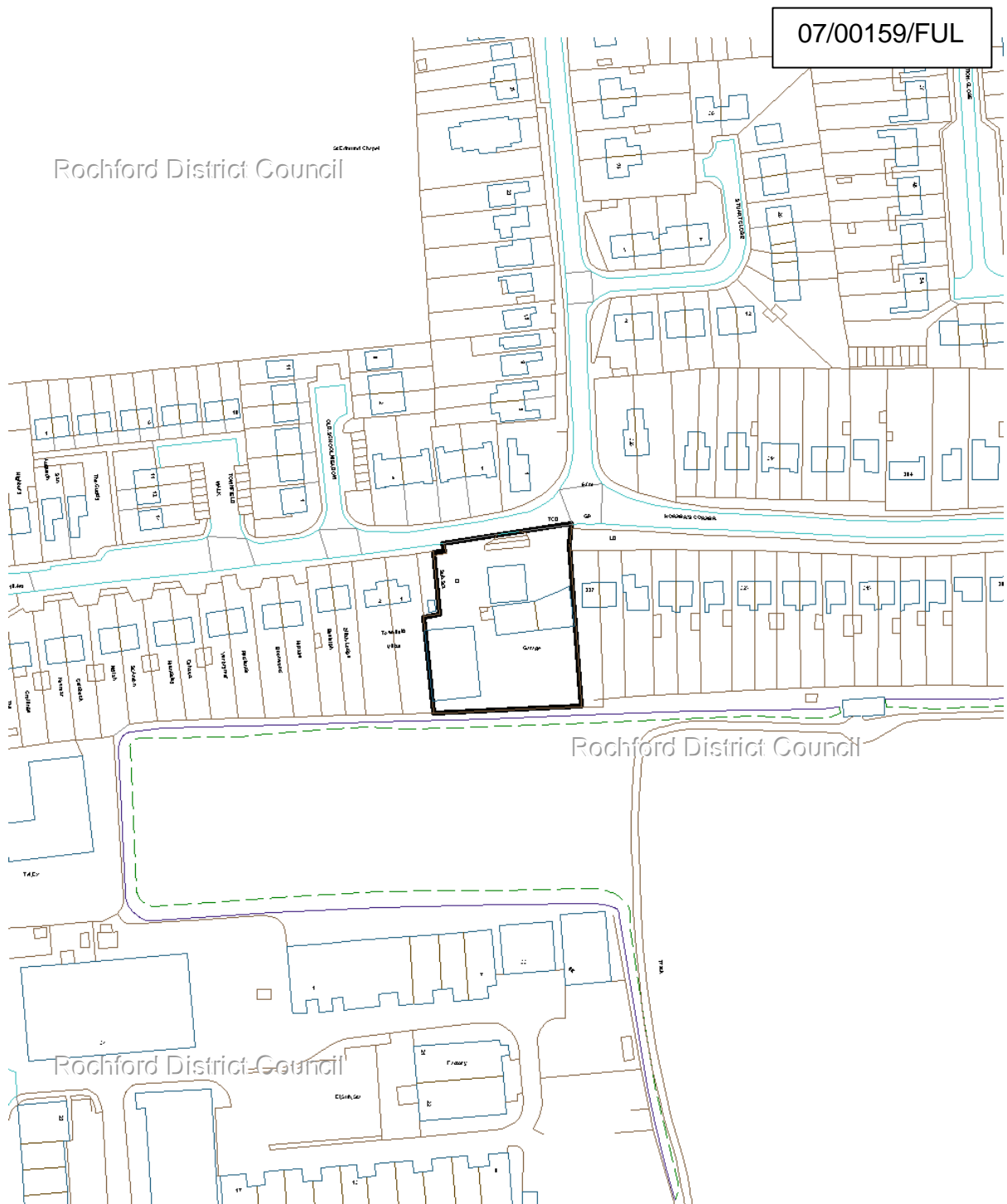
Relevant Development Plan Policies and Proposals

HP3, HP6, HP8, HP10, HP11, TP8 of the Rochford District Adopted Replacment Local Plan (2006).



Shaun Scrutton
Head of Planning and Transportation

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



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SCHEDULE ITEM 4

TITLE : 07/00230/FUL
2 NO. FOUR BEDROOMED HOUSES WITH INTEGRAL
GARAGES (REVISED DESIGN AND LAYOUT 06/00678/FUL)
133 EASTWOOD ROAD RAYLEIGH

APPLICANT : PANNEL DEVELOPMENTS LTD

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: RAYLEIGH CENTRAL

PLANNING APPLICATION DETAILS

- 4.1 This application is brought before Members due to the previous application being considered at Committee in October 2006.
- 4.2 This application seeks to demolish the existing dwelling and erect 2 detached 4 bedroom houses. This is a resubmission of a previously refused application submitted under reference 06/00678/FUL. Members may recall that the application was refused due to the detrimental impact of the development upon the amenity of the neighbouring property at 131 Eastwood Road, specifically the flank window. The second reason for refusal was due to the visual intrusion of the prominently located development within the street scene and the development was considered to be out of scale and character with the prevailing pattern of development in the locality.
- 4.3 This application seeks to overcome these reasons for refusal.

4.4 RELEVANT PLANNING HISTORY

06/00678/FUL - Demolish Existing Dwelling and Erect 2no. Detached 4 Bedroom Dwellings with Integral Garages – REFUSED – currently at appeal

06/00367/FUL - Demolish Existing Dwelling and Erect 2 x Four Bedroom Detached Two Storey Dwellings with Integral Garages – REFUSED

06/00113/FUL - Demolish Existing Dwelling and Erect 2 x Four Bedroom Detached Two Storey Dwellings with Integral Garages – REFUSED

05/00551/OUT - Outline Application to Demolish Existing Chalet and Erection of 2 No. Detached Houses (all matters reserved for subsequent approval) APPROVED

SCHEDULE ITEM 4

4.5 CONSULTATIONS AND REPRESENTATIONS

No responses received at the time this report being drafted, any received before the Committee will be reported to it and Members will note the recommended delegation.

MATERIAL PLANNING CONSIDERATIONS

4.6 The development has been amended from the previous refusal by:-

- reducing the ridge height of both properties from 8.4 metres to 8 metres
- reducing the width of the properties from 7.7 metres to 7.5 metres
- reducing the overall depth of the properties from 14.4 metres to 13.8 metres
- reducing the two storey rear projection to single storey rear projection
- moving Plot 1 (adjacent to 131 Eastwood Road) approximately 1.4 metres further forward

4.7 The applicants address the first reason for refusal, namely the detrimental impacts upon the residential amenity of the occupiers at 131 Eastwood Road, by reducing the general bulk and scale of the building. The proposed development adjacent to 131 Eastwood Road has also been moved forward within the site. This amendment, coupled with the reduction in the rear projection of Plot 1 from two-storey to a single storey also reduces the impact upon the loss of light and outlook to the flank window belonging to 131 Eastwood Road. Therefore, it is considered that the amendments have overcome the concerns relating to the first reason for refusal of the previous application giving an aspect beyond and above the single storey rear projection which is approximately opposite the neighbour's side window.

4.8 As stated above, the development has been scaled down from the previous submission, reducing the detrimental impacts within the street scene. The location of the proposed properties within the site follows the staggered building line on this bend in Eastwood Road noting that the original dwelling at 133 sat in advance of Plot 1 and that the neighbouring house at 135, sits in advance of the position of Plot 2. It is considered that the development sits satisfactorily within the existing mixed street scene of Eastwood Road.

4.9 It is considered that the development overcomes previous reasons for refusal and is an acceptable development in this location that does not cause significant demonstrable harm to residential amenity of surrounding occupiers or to the character and the appearance of the street scene.

CONCLUSION

4.10 It is considered that the development overcomes previous reasons for refusal and is an acceptable development in this location that does not cause significant demonstrable harm to residential amenity of surrounding occupiers or to the character and the appearance of the street scene.

SCHEDULE ITEM 4

4.11 RECOMMENDATION

It is delegated to the Head of Planning and Transportation to determine the application upon the expiration of the consultation period including the heads of conditions set out below:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 No development shall commence, before details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved 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 development requisite for the erection of dwellings shall commence, before plans and particulars showing precise details of a satisfactory means of surface water drainage (including attenuation measures if appropriate) for this site, have been submitted to and agreed in writing by the Local Planning Authority. Any scheme of drainage details as may be agreed in writing by the Local Planning Authority, shall be implemented commensurate with the development hereby permitted and made available for use upon completion of the dwellings.
- 4 No development requisite for the erection of dwellings shall commence, before plans and particulars showing precise details of a satisfactory means of foul water drainage for this site, have been submitted to and agreed in writing by the Local Planning Authority. Any scheme as may be agreed in writing by the Local Planning Authority, shall be implemented commensurate with the development hereby permitted and made available for use prior to the occupation of the dwellings.
- 5 No development shall commence, before details of the proposed finished ground floor level of the buildings hereby permitted, in relation to the natural and finished ground levels of the site, have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.
- 6 No development shall commence, before plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted, have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:-
 - schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
 - existing trees to be retained;
 - areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
 - paved or otherwise hard surfaced areas;

SCHEDULE ITEM 4

- existing and finished levels shown as contours with cross-sections if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;

shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

- 7 There shall be not beneficial use of the dwellings hereby permitted before the garage(s) and hardstand(s) shown on the approved drawing 103-01-B have been laid out and constructed in their entirety and made available for use in accordance with the details that have previously been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the said garage(s) and hardstand(s) shall be retained and maintained in the approved form and used solely for the parking of vehicles and for no other purpose which would impede vehicle parking.
- 8 There shall be no occupation of the dwellings hereby approved before the vehicular accesses to the site have been laid out and constructed in all respects, in accordance with the details as agreed in writing by the Local Planning Authority in pursuance of Condition 6. Once the accesses as shown in the submitted details in pursuance of Condition 6 have been constructed, all other means of accesses to the site, namely the access located close to property at 135 Eastwood Road, shall be permanently and effectively "stopped-up" in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Once provided, the said vehicular access shall be made available for use and thereafter retained and maintained in the approved form.
- 9 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A, B or 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 window, door or other means of opening shall be inserted above first floor finished floor level on the flank elevations nor within any of the roof area of the dwellings hereby permitted, in addition to those shown on the approved drawing 103-03-C.
- 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) the window(s) marked OBS on the approved drawing 103-03-C, 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.

SCHEDULE ITEM 4

- 11 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A, B and/or 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 extensions, including any dormers erected within the roofspace shall be erected on any elevation of the dwellings hereby permitted.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in Eastwood Road, Picton Gardens or Picton Close.

Relevant Development Plan Policies and Proposals

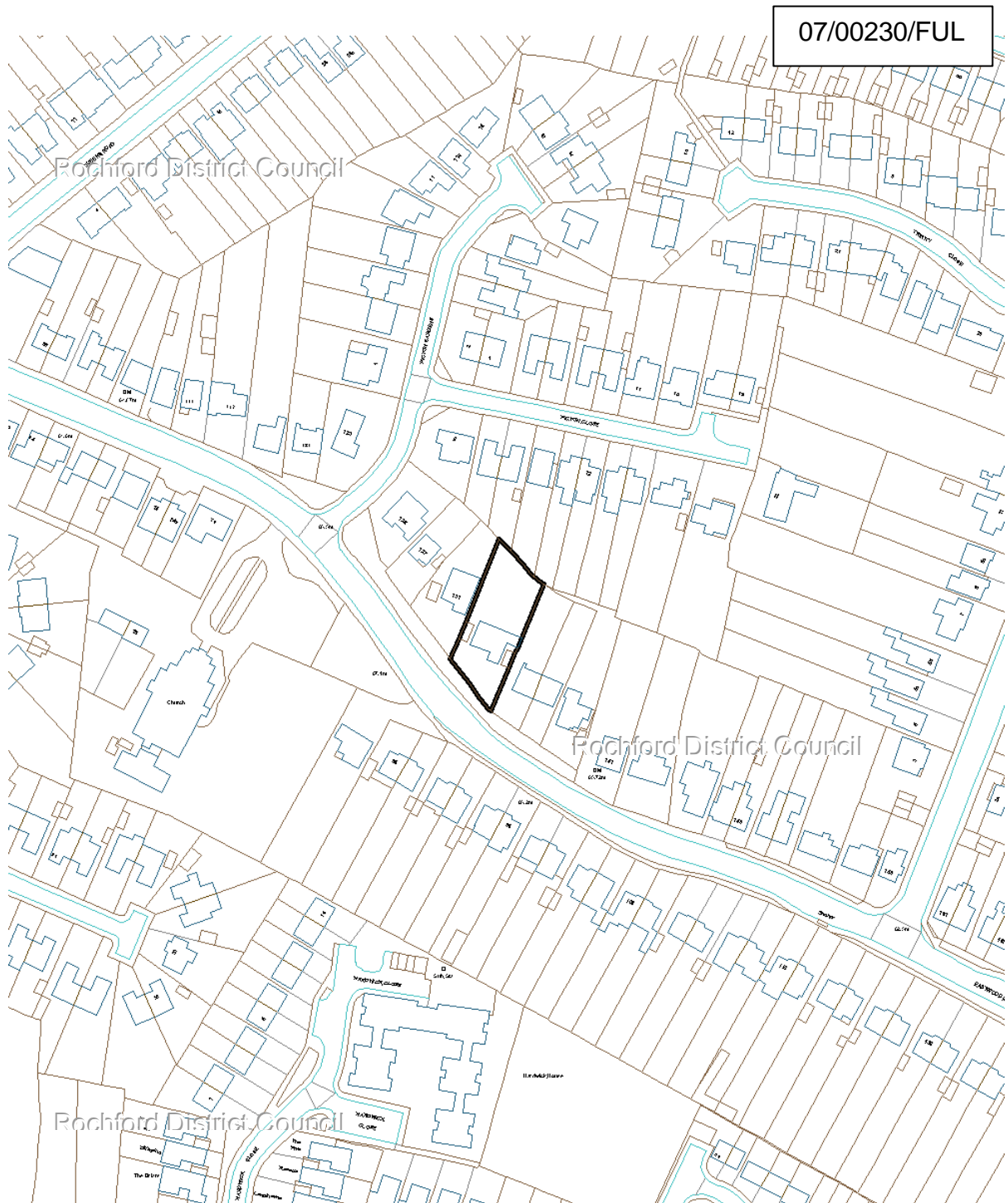
HP6, of the Rochford District Adopted Replacement Local Plan (2006).

CS5, T8 of the Essex and Southend-on-sea Replacement Structure Plan.



Shaun Scrutton
Head of Planning and Transportation

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



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