



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING SERVICES COMMITTEE 31st May 2001**

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

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

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

If you require a copy of this document in larger print, please contact the Planning Administration Section on 01702 – 318098.

PLANNING SERVICES COMMITTEE 31st May 2001

REFERRED ITEM

- R1 01/00217/FUL Christopher Board PAGE 4
Erect 4-Bed Detached House with Detached Double
Garage (Demolish Existing Bungalow)
24 Main Road Hawkwell Hockley

SCHEDULE ITEMS

- 2 01/00306/CC Mark Mann PAGE 8
Single Storey Flat Roofed Extension And Remove
Relocatable Classroom
Holt Farm Infants School Ashingdon Road Rochford
- 3 01/00248/CM Lee Walton PAGE 11
Proposed Borrow Pit In connection With A130 By
Pass And Restoration To Agricultural Use.
Dollymans Farm Doublegate Lane Rawreth
- 4 01/00272/FUL Kevin Steptoe PAGE 15
Demolish Two Existing Houses and Outbuildings
Erect Four 5-Bed and One 4-Bed Detached Houses
with Three Detached and Two Integral Garages. New
Private Road and Junction (Re-submission Following
00/00571/FUL)
Land Rear Of 2 And 4 Southend Road Hockley
- 5 01/00345/COU Christopher Board PAGE 23
Change of Use from Light/General Industry (Classes
B1/B2) to Storage/Distribution (Class B8)
7-12 Eldon Way Industrial Estate Eldon Way Hockley
- 6 99/00002/FUL Kevin Steptoe PAGE 27
Erect Pair of 4-Bed Houses Linked by Semi-Integral
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Land Adjacent 62 Park Gardens Hockley

- 7 01/00307/CC Kevin Steptoe PAGE 33
Continue to Use Building for Business (Including
Office) Use. Introduce Non-Residential
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Shutters
Combewood Workshop 1 Websters Way Rayleigh
- 8 00/00610/FUL Mark Mann PAGE 37
Erect Three 2 Bed Terraced Dwellings, Layout
Access and Car Parking Areas
Former British Legion Hall East Street Rochford
- 9 01/00259/FUL Kevin Steptoe PAGE 43
Change of Use of Existing Farm Building to Dwelling
(Involving Alterations to Structure) With Integral
Garage (Resubmission Following Refusal of
00/00729/FUL)
Burtons Farm Barling Road Barling Magna

TITLE : 01/00217/FUL
 ERECT 4-BED DETACHED HOUSE WITH DETACHED
 DOUBLE GARAGE (DEMOLISH EXISTING BUNGALOW)
 24 MAIN ROAD, HAWKWELL, ESSEX

APPLICANT : MR D ROSS

ZONING : METROPOLITAN GREEN BELT, RURAL SETTLEMENT
 AREA

PARISH: ROCHFORD PARISH COUNCIL

WARD. HAWKWELL WEST

Referred from Weekly List No. 573 by Councillor H L A Glynn.

- 1 1 **Hawkwell Parish Council** – strongly objects to this application within the Green Belt notation. The proposal exceeds the 35sq metres permitted as extensions in the Green Belt and as a replacement property far exceeds the existing footprint and size. The size of the property is overdevelopment and out of keeping with neighbouring properties. If this application were to be permitted, it would set a precedent for future development in the Green Belt.

NOTES

- 1 2 This application is for the demolition of the existing bungalow and the construction of a 4-bedroom detached house with detached garage.
- 1 3 The development site is located in the Metropolitan Green Belt, within policy GB2 of the adopted Rochford District Local Plan the site is within a defined rural settlement area wherein the 35 sq. metres limitation for extensions in green belt does not apply. Rebuilds are also considered on their merits, without any floorspace or other Green Belt criteria.
- 1.4 The proposed house is to be sited in a similar position to that of the existing property with a detached double garage to the frontage. The site is on a natural level below that of the main road, this together with existing trees to the frontage reduces the visual impact of the property from Main Road.
- 1 5 The proposed development will create a building that is relatively large in comparison with adjoining properties, which in the main are bungalows and chalet conversions. The relationship of the dwelling with neighbouring number 22, a chalet, will not be detrimental to said properties occupiers amenity; this is reduced further when viewing the extensions that have taken place on the neighbouring property. No openings are proposed to the side elevation towards number 22.

- 1 6 To the rear of the proposed house there will be a balcony, this will be acceptable in such a location as it is proposed to be sited to the West end of the property away from the neighbouring dwelling. To the front of the dwelling there is adequate parking for four cars (including two garage spaces).
- 1 7 The scale and two storey form of the rebuild property is an issue given it's location adjacent to a two storey chalet and other houses in this settlement, it is considered acceptable notwithstanding the predominance off bungalows hereabouts
- 1.8 **Housing, Health & Community Care** has no adverse comments in respect of this application subject to the Standard Informative SI16 (Control of Nuisances) being attached to any consent granted.
- 1 9 **Buildings & Technical Support (Engineering)** have no observations on this application.
- 1 10 **Rochford Hundred Amenities Society** comments that this is a green belt site and limitation on the extension of bungalow to be demolished should apply. Their architect (D. Charles A.R.I.B A) feels it should at most be a chalet!
- 1 11 **Environment Agency** has advisory comments on this application.
- 1 12 **Anglian Water** has no objection in principle to this proposal, making only advisory comments.
- 1 13 **Essex County Council (Highways)** has no objection to this proposal
- 1 14 Neighbour Objections have been received from three local residents raising concern over the size of the proposed dwelling and the location within the green belt, overlooking and the impact of such a large house on this plot in relation to bungalows and chalets in the vicinity. They also comment that a bungalow would be more appropriate for such a location

APPROVE

- 1 SC4 Time Limits Full - Standard
- 2 SC9A Removal of Buildings Prior to Dev
- 3 SC14 Materials to be Used (Externally)

Relevant Development Plan Policies and Proposals:

H11, GB2 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr J R F Mason Cllr
Mrs M A Weir

For further information please contact Chris Board on (01702) 546366.

01/00217/FUL



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TITLE .	01/00306/CC SINGLE STOREY EXTENSION AND REMOVE RELOCATABLE CLASSROOM HOLT FARM INFANTS SCHOOL ASHINGDON ROAD ROCHFORD
APPLICANT :	ESSEX COUNTY COUNCIL
ZONING :	RESIDENTIAL/SCHOOL
PARISH:	HAWKWELL PARISH COUNCIL
WARD:	HAWKWELL EAST

PLANNING APPLICATION DETAILS

- 1 The application seeks a single storey flat roofed extension and the removal of a re-locatable classroom. The site lies to the back of the school buildings, adjoining the playground. The extension attaches to previous extensions that have brought this 'wing' of the school buildings out towards the playground area.
- 2.2 The re-locatable classroom that was granted consent under CC/0543/96/ROC, is to be removed from site, clearing an area to the immediate north of the new classroom.
- 2.3 The application will be determined by the County Council and this Authority has been consulted for any views it may wish to raise.

RELEVANT PLANNING HISTORY

- 2.4 Numerous planning permissions have been granted for developments at this site since the 1980s. Essex County Council granted permission for the continued use of three re-locatable classroom units (CC/0543/96/ROC)
- 2.5 The previous extension for this part of the school was permitted under CC/00283/98.

CONSULTATIONS AND REPRESENTATIONS

- 2.6 County Surveyor (Highways) – no objection
- 2.7 Housing, Health and Community Care – no adverse comments subject to the standard informative SI16 (Control of nuisances)
- 2.8 Essex Police – suggests detailed crime prevention measures that the school will wish to consider in extending the building in this manner.

MATERIAL PLANNING CONSIDERATIONS

- 2.9 The proposal seeks permission to extend the school building offering enhanced facilities for the school. This 'follows through' the wing on this side of the school. Windows are provided to the south and west elevations with outlooks across the grass to the school's boundary fence some 20 metres distant and across the playground. Residential plots back on to the school site the nearest of which are to be found some 30 to 40 metres to the south. The proposal does not appear to have any particular impact on its neighbours. The adjoining classrooms have windows facing south.
- 2.10 This particular application sees the removal of a re-locatable unit from the site that opens up this part of the school site.

CONCLUSION

- 2.11 The proposed extension replaces a re-locatable unit that is to be removed from the school site.
- 2.12 The extension 'fits' neatly in to the overall site plan for the school buildings. There will be little impact on the openness of the school site. The neighbouring residential properties are sited some distance away. It is considered that this proposal will have a negligible impact on its surroundings.

RECOMMENDATION

- 2.13 It is proposed that the committee **RESOLVES** that Essex County Council be advised **No Objection** is raised to this proposal subject to the following condition.
- 1 SC4 Time Limits Full – Standard
 - 2 SC14 Materials to be Used

Relevant Development Plan Policies and Proposals:

None

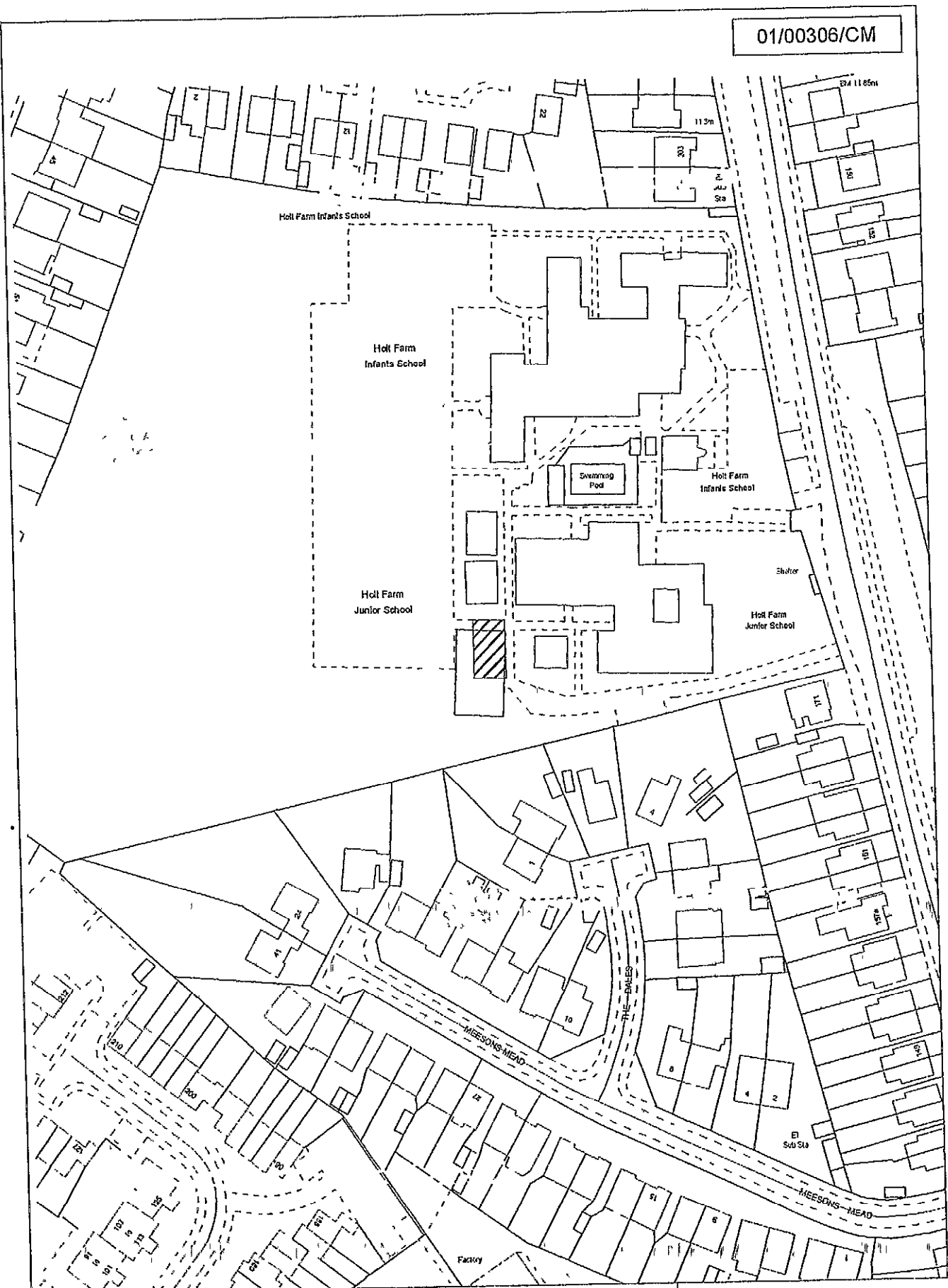


Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr Mrs H L A Glynn.
Cllr V H Leach. Cllr M G B Starke

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

01/00306/CM



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TITLE	01/00248/CM PROPOSED BORROW PIT IN CONNECTION WITH A130 BY-PASS AND RESTORATION TO AGRICULTURAL USE DOLLYMANS FARM DOUBLEGATE LANE RAWRETH
APPLICANT :	ESSEX COUNTY COUNCIL
ZONING :	METROPOLITAN GREEN BELT
PARISH:	RAWRETH PARISH COUNCIL
WARD.	GRANGE AND RAWRETH, LODGE

PLANNING APPLICATION DETAILS

- 3.1 This planning application is a County Matter which is for the Essex County Council to determine. This Authority is consulted and may raise comments on the proposal.
- 3.2 The application seeks planning permission to develop a borrow pit to supply material for the creation of embankments related to the construction of the A130 bypass (phase 2). The area in question measures 15.4 hectares. The land at present is used for animal grazing. Once the clay has been extracted the site will be returned to animal grazing.
- 3.3 To the south the site is bounded by the railway track. To the north are several distant residential houses that will be closest to the site. The only through traffic that will see the site are the train passengers.
- 3.4 Two World War I monuments within the site will be protected and left undisturbed, as will be existing hedges. An archaeological survey is to be undertaken and a watching brief will be present during topsoil strip.

RELEVANT PLANNING HISTORY

- 3.5 None applicable.

CONSULTATIONS AND REPRESENTATIONS

- 3.6 **Rawreth Parish Council** – have no objection subject to any water discharge being regulated so as not to affect the flooding potential at the junction of the North Benfleet and Chichester Hall Brooks.
- 3.7 **County Surveyor (Highways)** – De-minimis

MATERIAL PLANNING CONSIDERATIONS

- 3 8 The proposal seeks planning permission for the excavation of a substantial amount of clay from the site to enable the completion of the A130, creating embankments. The site is generally isolated. It may be seen from the passing trains and there are several distant houses to the north of the site. Removal of the clay from the site will follow a route that avoids the public highway system. It will bring the dumper trucks over a railway bridge to the west of the site and along the southern edge of the railway line depositing the clay along the route of the A130 currently being laid out.
- 3 9 Concern has been raised that the works should not encourage flooding in the area. The proposal seeks to remove clay to a depth that would still be above the water table. As part of the proposal a temporary lagoon is to be constructed to collect any water run off from the site. Surplus water will be allowed to settle before being drained in to the adjacent stream which runs south to north along the western boundary. This eventually discharges in to the River Crouch near the Battlesbridge Bypass. The whole site presently drains in to this stream. The attention of Essex County Council, who will make the final decision, should be drawn to the concerns that potential flooding is a cause for concern. However, it should also be noted that the works on site do not envisage the generation of any extra water.
- 3.10 A public right of way crosses the site terminating at the half way point. This situation arises because of the closure of a level crossing that was removed sometime ago for safety reasons. The route will remain open with the exception of the period during excavation in its immediate vicinity. However, access will be reinstated at the end of each working day.
- 3.11 The land is currently used for animal grazing. The agricultural value of the land is classified grade 4. Once works are completed the site will be returned to grazing land.
- 3 12 Work on the site will be undertaken between the hours of 7am and 8pm six days per week. The noise level generated by the site will not be any greater than those levels found on the adjacent A130 bypass construction site.

CONCLUSION

- 3.13 The proposed work represents a much needed source of engineering fill. The site is of low agricultural value and is remote from any residential areas.
- 3 14 Concern has been raised with regard to the fear of potential flooding implications. However, it should be pointed out that it is not envisaged that the proposed borrow pit will generate any additional water.

RECOMMENDATION

- 3.15 It is proposed that this Committee **RESOLVES** to inform the Essex County Council that this Council asks them in determining this matter to ensure no additional flood risk is created particularly having regard to the recent flooding where the Chichester Hall and North Benfleet Brooks meet. Also that the land is reinstated in an appropriate way to animal grazing land. Measures shall be put in place to protect the two World War I monuments, existing hedges and undertake appropriate Archaeological survey/works

Relevant Development Plan Policies and Proposals:

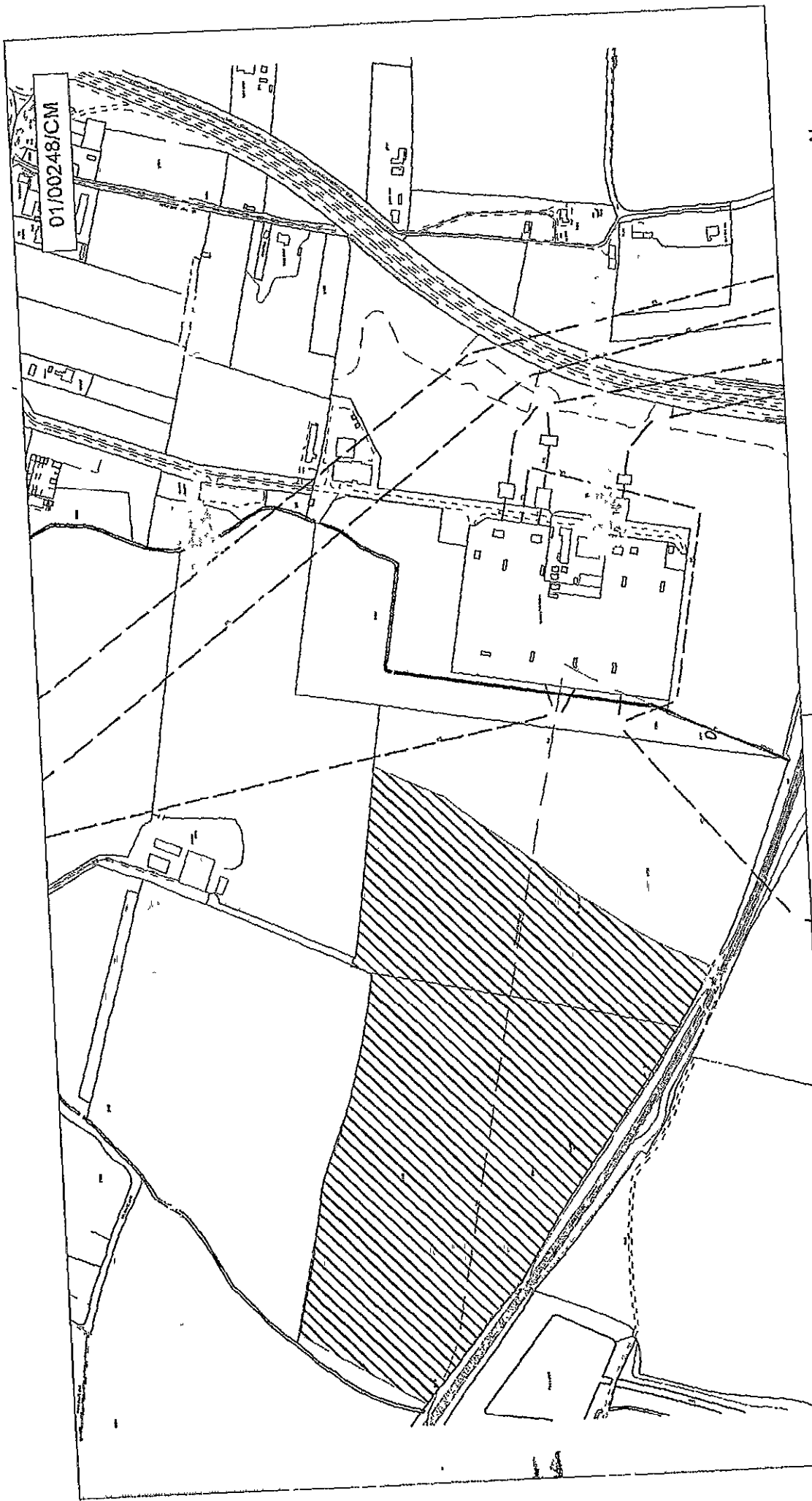
TP7 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

The local Ward Member(s) for the above application are Cllr P J Morgan Cllr G A Mockford, Cllr R Adams, Cllr D R Helson, Cllr T Livings Cllr S P Smith

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



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TITLE .	01/00272/FUL DEMOLISH TWO EXISTING HOUSES AND OUTBUILDINGS. ERECT FOUR 5-BED AND ONE 4-BED DETACHED HOUSES WITH THREE DETACHED AND TWO INTEGRAL GARAGES. NEW PRIVATE ROAD AND JUNCTION (RE-SUBMISSION FOLLOWING 00/00571/FUL) 2 AND 4 AND LAND TO THE SOUTH EAST, SOUTHEND ROAD AND MAIN ROAD, HOCKLEY.		
APPLICANT	OAKWOOD CONSTRUCTION SERVICES		
ZONING .	RESIDENTIAL		
PARISH.	HOCKLEY PARISH COUNCIL		
WARD.	HOCKLEY CENTRAL		
SITE FRONTAGE.	83M (approx)	SITE AREA:	0.44Ha

PLANNING APPLICATION DETAILS

- 4 1 Members will recall that the previous application for development on this site (00/00571/FUL) was refused by the Planning Services Committee at its meeting of 8 February 2001.
- 4 2 Members were invited to reconsider that decision at the meeting of 8 March, given the submission of an appeal against the refusal of the earlier application against the Officers advice and in the light of independent highway advice. At that meeting it was resolved that the applicants be invited to resubmit the scheme and that a planning approval based on the previously submitted proposal be agreed in principal. It is in the light of this background that the current application must be judged.
- 4.3 This site includes two existing residential plots and the land to the south east of these that was formerly in the ownership of the brewery operating the White Hart pub. It is proposed that the two existing dwellings are demolished and on the site of them, and the land formerly owned by the brewery, five new dwellings are constructed. There is a net gain therefore of three dwellings
- 4 4 The five new dwellings are all detached. Three of them will be placed on the Southend Road/ main Road frontage, the remaining two will be placed on the rear of the site. Access to all five dwellings (both vehicular and pedestrian) however will be gained from a new private access road which is to loop into the site. The junction of the new private access road to the Southend Road/ main Road will be 33m approx to the south east of the existing junction of Southend Road with Hockley Rise

- 4.5 To the frontage of the site enclosure will be provided by a mixture of walling and railings. This will vary in height due to the slope of the land downwards towards the south east. It will not be under 2m in height however. Some sections will comprise wall with railings above other sections will be complete wall. In some locations planting will be combined in the wall in raised beds.

RELEVANT PLANNING HISTORY

- 4.6 The recent application 00/00571/FUL was for the same form of development, as set out above. This was refused on the basis of the implications for highway safety of the new access and because of the impact of the development on the character and appearance of the area.
- 4.7 The only other proposal of relevance to the site is a historical proposal for a form of flatted development on land to the east and north east of it. This was refused due to concern that the proposals represented a form of over development.

CONSULTATIONS AND REPRESENTATIONS

- 4.8 The **County Surveyor** raises no objection to the proposals and the new road and junction subject to the application of the following conditions:
- all access to be from the private drive;
 - visibility splay of 2.4m x 70m with no obstruction above 1m above ground level to be provided for the new access;
 - pedestrian visibility splays to be provided within the site;
 - additional conditions in relation to road widths and radii, surfacing, private parking spaces and vehicle turning
- 4.9 The **Environment Agency** has no objections but makes advisory comments in relation to culverting and measures to avoid pollution to water courses
- 4.10 **Anglian Water** has no objections and no additional information to add to the comments made in relation to the previous submission. (These required development to avoid on-site sewers, but in the event, there are none)
- 4.11 **English Nature** notes that the application is similar to the previous submission where there was a report of protected animal species on the site. Comments that if the LPA is minded to grant permission it should attach conditions to protect such species (conditions are suggested in this respect).
- 4.12 The **Property and Highways Maintenance Manager (Engineers)** has no observations.
- 4.13 At the time of drafting of this report 12 responses had been received from neighbouring consultations in relation to this matter raising in the main, the following issues:

- new access will exacerbate an already poor highway situation (with a poor accident record) – additional traffic, poorly located junction on hill and bend, existing traffic and pedestrians generated by school and church and high speed of existing traffic.
- The Planning Authority do not need to refuse applications purely because the Highway Authority doesn't support,
- Proposals do not result in a highway improvement as is claimed (traffic levels are not comparable and any survey would not be reliable),
- Dwellings are out of scale and character with surroundings and will lead to overlooking (comparison with public buildings not valid),
- Proposed wall will give a stark appearance to the area, will be vulnerable to vandalism and verge will not be maintained,
- Telecommunications mast off Highams Road will make properties unattractive,
- The need to protect the slow worms on the site.
- Increased pressure on local doctors and schools, etc.

4.14 In addition two petitions have been received. One is submitted by local residents and objects on the basis of to the highway situation and the scale/ density of the development. It has 96 signatures.

4.15 The second petition is submitted by parents of pupils at the Westerings School and objects on the basis of the highway issues. It has 97 signatures.

MATERIAL PLANNING CONSIDERATIONS

4.16 The considerations are those that were set out in an earlier report to this committee in relation to the previous submission on this site, application 00/00571/FUL. That matter was reported to the January and February meetings of this year.

4.17 Those issues are.

- the access arrangements and impact on the highway situation,
- design and density of development,
- impact on amenity; and,
- impact on trees and wildlife.

Access/ Highways

4.18 In relation to the previous submission, the Highway Authority has made it clear that it considers the proposals to be an improvement in highway terms. This is due to the overall reduction in the number of accesses to the main road and, where access is provided, this is to modern standards rather than the existing substandard accesses. This is considered to be the case despite the increase in the number of vehicles which may be using the access.

- 4 19 The Highway Authority has taken into account the characteristics of the area (the rising land, bend in the road, existing accesses, the presence of the church, school, etc) and maintains its view as set out above. A speed survey has been undertaken and, despite the claims that it is inaccurate, it shows that at peak times (the times of concern most referred to be residents) speeds are shown to be low (below the 30mph speed limit)
- 4 20 The applicants have carried out a traffic survey at a similar development location locally (the exit of Badgers Mount to Main Road, Hockley). Badgers Mount is developed with 5 properties of similar size to those now proposed and therefore the traffic generated can be argued to be comparable with that which is likely to be generated at this location, in the absence of other information. The survey shows that 7 vehicles entered and 6 vehicles left the site during the two hour period 7.30 to 9.30am on a school day morning.
- 4.21 Officers have carried out a similar survey at the exit of Glencrofts. Again this is a local site which is developed with 7 properties similar in size to those now proposed. During an hour period on a school day morning 2 vehicles entered and 6 left the site. Factoring these figures to take account of the lower number of dwellings proposed on the application site would indicate 5 vehicles leaving the application site between 7.45 and 8.45am and no more than 2 entering. These levels of traffic generation are not considered to be excessive
- 4.22 During the processing of the previous submission Officers did not consider that there were grounds to disagree with the approach of the Highway Authority. Independent highway advice was sought however, from a number of highway consultants, on the issues raised and whether there was a firm basis for the concerns of residents locally with regard to the highway situation. The clear response from this was that there was no firm case, that could be substantiated and justified when challenged, that could be made on the basis of local concerns.
- 4 23 As set out in the introduction above, Members will recall that this was one of the primary reasons behind the decision to reassess the position of the Authority in relation to the previous submission. On that reassessment, the Authority reached a decision that it was disposed to give favourable reconsideration to this re-submission, in principle.
- 4.24 Taking into account all the factors above, those raised during the previous consideration and the independent advice it remains the Officers view that there are no firm grounds to resist this submission on highway safety or access grounds

Design/ Density

- 4.25 It is considered that the submitted designs follow the guidelines of the Essex Design Guide for Residential Areas. The dwellings do have a considerable bulk and scale. This is not considered inappropriate however given the characteristics of the site and the existing surrounding development (some of which is non residential)

- 6 There was some concern during the earlier submission that the frontage wall may provide a barren appearance to the site frontage. At that time no details of the intended wall had been submitted. During this submission details of the intended frontage treatment have been submitted. These include a mixture of walling, railings and planting. It is considered that the proposals will present a pleasant and varied appearance to the frontage.
- 4 27 The density of development proposed is well below that which the Authority is increasingly encouraged to aim at by government guidance. Densities of existing development vary in the area and that which is now proposed is not considered to be incompatible and certainly does not amount to an overdevelopment.

Amenity

- 4.28 There has been careful consideration of the inter-relationship between the dwellings proposed to the rear of the site and those surrounding existing dwellings. In particular, the closest existing are at 6 Southend Road and 1 and 5 Highams Road. (It is considered that the proposed frontage dwellings have a traditional relationship with others neighbouring and cause no problems).
- 4 29 Separation distances are such that there are considered to be no unacceptable impacts with regard to either overlooking or overshadowing.
- 4 30 The existence of an extant permission for the development of a chalet bungalow in the rear garden of 6 Southend Road has also been taken into account. There are no guidelines in the situation where permissions are yet to be implemented, however it is again considered that no unacceptable relationship will be created.

Trees and wildlife

- 4.31 The proposals will require the loss of three of the four TPO trees on the site. The Council's Woodlands and Environmental Officer concluded, in relation to the previous submission, that the retention of at least one of the three trees to be lost would be favourable, but that the scheme of landscaping is significant and will offset any losses.
- 4.32 Of other trees on the site which are not covered by TPOs, many of these have been shown to be in poor health and retention is not considered appropriate. The loss of trees did form part of the Council's decision on the previous submission when permission was refused.
- 4.33 A submitted Ecological Survey shows a population of protected slow worms on the site. The consultant who undertook the survey recommends the retention of these on site and this is possible with the phased approach to the construction and provision of habitat on site.

CONCLUSION

- 4.34 These proposals have been subject to thorough consideration through the processing of this and the earlier submission. Whilst the earlier submission was refused contrary to Officer advice, this refusal was subject to reassessment on the 8th March Committee including the independent highway advice. As set out in the report, this reassessment led to the view that, in principle, permission for development should be forthcoming on this site.
- 4.35 This application raises the same issues as before. It is not considered that there is any change in circumstances such that the view of the Authority, reached on the reassessment of the proposals, should not prevail now.

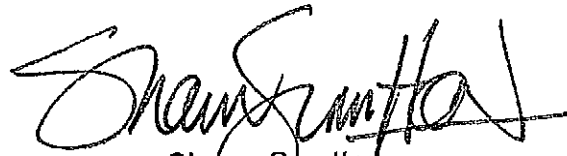
RECOMMENDATION

- 4.36 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following heads of condition.
- 1 SC4 Time limits standard
 - 2 Programme setting out the sequence of construction and demolition
 - 3 SC14 Materials to be used
 - 4 SC22A PD Restricted – windows
 - 5 SC23 PD Restricted – obscure glazing
 - 6 Details of the specification of the windows to be installed to the Southend Road/ Main Road frontage.
 - 7 Landscaping details
 - 8 Restriction over access other than via the private drive
 - 9 No use of the access until the required sight splay provided
 - 10 Details of the radius and width of the private drive
 - 11 Pedestrian visibility splays
 - 12 Materials of the construction of the private drive
 - 13 Distance between the private drive and each garage
 - 14 SC81 Garage and hardstand
 - 15 SC84 Slab levels
 - 16 SC60A Tree and shrub protection
 - 17 Details of a scheme to take into account protected animal species and to ensure that compensatory habitat is created

Relevant Development Plan Policies and Proposals:

H1, H2, H11, H15, H19, H24, TP15 of the Rochford District Local Plan First Review

CS1, CS2, CS4, NR6, BE1, H2, H3, H4 of the Essex and Southend on Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Member for the above application is Councillor P Capon

For further information please contact Kevin Steptoe on (01702) 546366

01/00272/FUL



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TITLE : 01/00345/COU
CHANGE OF USE FROM LIGHT/INDUSTRIAL (CLASSES
B1/B2) TO STORAGE /DISTRIBUTION (CLASS B8)
UNITS 7-12 ELDON WAY, HOCKLEY

APPLICANT . W J WOOD & SON LIMITED

ZONING : EXISTING INDUSTRIAL/CLASS B1 (BUSINESS CLASS)
POLICY EB2

PARISH: HOCKLEY PARISH COUNCIL

WARD: HOCKLEY CENTRAL

Purpose of this Report

- 5 1 The matter is being reported to the committee by virtue of the Councils 'fast track' procedure for employment generating proposals. If the application were to be implemented, it would have the capacity to create in the order of 24 jobs within the existing building which stands vacant
- 5.2 The application is at a critical stage with consultations still outstanding but is brought before Members to assist in the identification of any issues which will require detailed consideration before the application can be determined in the normal way

Planning Application Details

- 5 3 This is a full application for the change of use of the unit from light/general industry to storage/distribution. The proposal site is a large unit located on the Western boundary of the industrial estate, situated behind existing houses of Bramerton Road
- 5 4 A supporting letter supplied with the application advises that the proposal would bring approximately 24 jobs into the Rochford district as the applicant is relocating from existing premises in Southend. The proposed use is for a tyre distribution business. Correspondence with the applicant has found that the operation will consist of new tyres being delivered in bulk, with distribution of smaller loads to the surrounding area. There will be a minimal amount of second hand/used tyres associated with this use
- 5.5 The agent has informed that the unit requires substantial investment to bring it up to a usable standard, within which they will be looking to alter the main doors to the unit; thus allowing articulated lorries to pull into the building for delivery purposes. All deliveries and loading will take place on land clear of the carriageway

Consultations and Representations

- 5 6 The responses to the application received so far comprise the following.

- 5.7 **Essex County Council (Highways)** advise that the application is De-Minimis in highway terms.

Issues Likely to Require Consideration

- 5 8 The application is at a very early stage with the consultation period still running. The likely issues to be focused upon as part of the application will include:
- The acceptability of the proposed storage/distribution (B8) use as opposed to light/general industry.
 - The impact the Change of Use would have on the industrial area in terms of traffic generation and loading/unloading areas.
 - Any physical alterations required to the application site.
 - Any possible impact on the residential dwellings of Bramerton Road behind the application site.
- 5 9 In addition to the above, there are may well be further issues for consideration that will arise during the course of the consultation and consideration process.

Conclusion

- 5.10 As outlined, this application is at an early stage and there will need to be additional consideration of these proposals before this authority can be in a position to reach a fully informed decision. At this stage however, the issues raised above appear to be those on which the merits of the scheme should be judged. However, members views are welcomed at this early stage.

Recommendation that this Committee resolves:

- 5 11 That the consideration of the proposals continues, bearing in mind the issues raised in this report. That the matter is considered in the normal way as early as possible when the outcome of the consultation process and consideration on the issues is concluded.
- 5 12 Members are also invited to identify any other issues they feel require consideration at this stage.

Relevant Development Plan Policies and Proposals

EB1, EB2 of the Rochford District Local Plan First Review

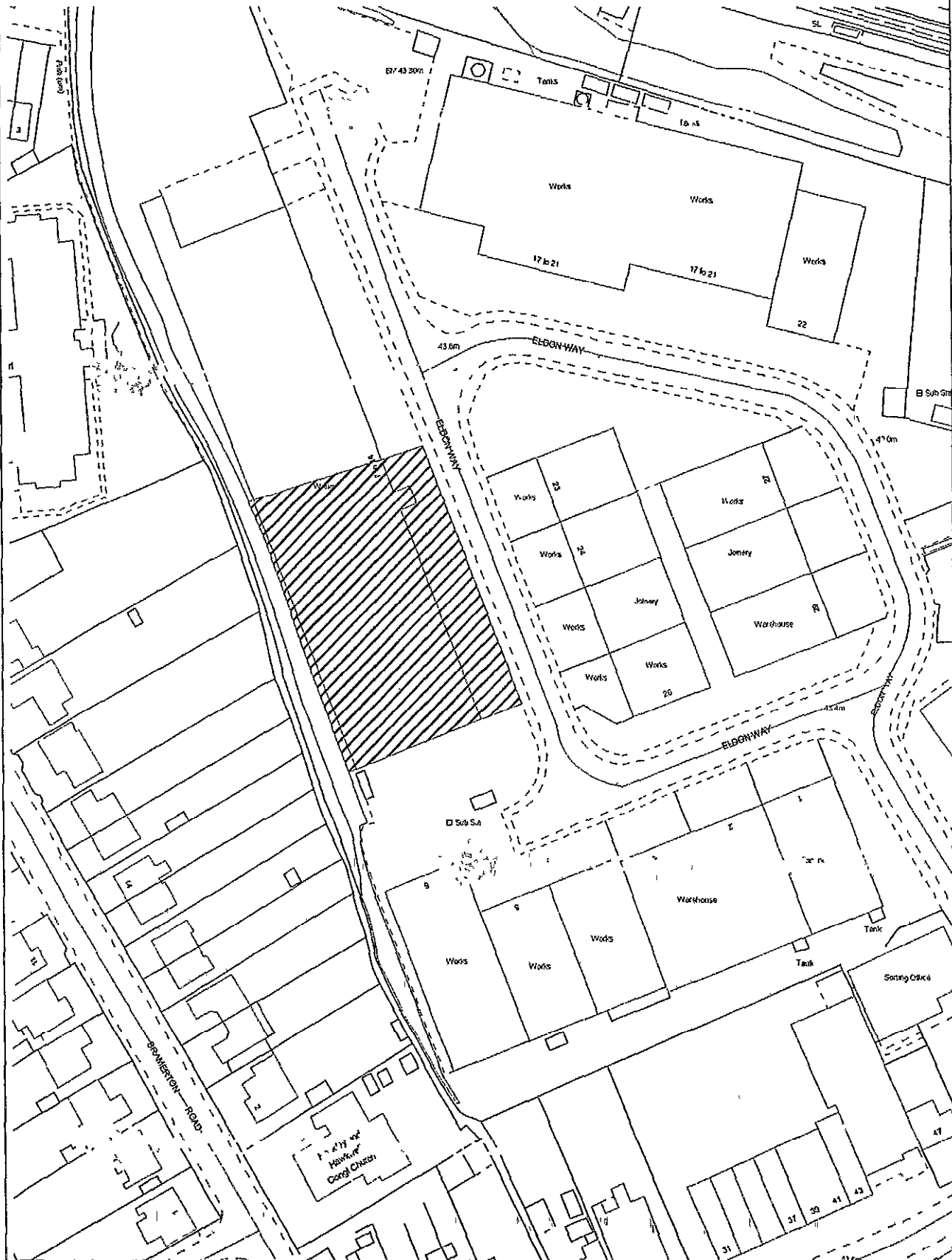
CS1, BIW4 of the Essex and Southend-on-sea Replacement Structure Plan.


Shaun Scrutton
Head of Planning Services

The local Ward Member(s) for the above application is/are Cllr P A Capon

For further information please contact Christopher Board on (01702) 546366.

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TITLE : 99/00002/FUL
ERECT PAIR OF 4-BED HOUSES LINKED BY SEMI
INTEGRAL GARAGES (REVISED SUBMISSION FOLLOWING
F/0454/98/ROC)
LAND ADJACENT 62 PARK GARDENS, HAWKWELL

APPLICANT MRS C BEXFIELD

ZONING : PART RESIDENTIAL/ PART METROPOLITAN GREEN
BELT/PUBLIC OPEN SPACE

PARISH HAWKWELL PARISH COUNCIL

WARD. HAWKWELL WEST

SITE FRONTAGE: 16m

SITE AREA: 640sqm

PLANNING APPLICATION DETAILS

- 6.1 The proposals anticipate the development of two 4-bed dwellings. These would be detached apart from linked by garages. The garages would project by a limited amount (1.5m approx) to the front of the houses. The houses would form a pair in a mirror image format and would be 7.5m approx to the ridge height.
- 6.2 The site is to the south side at the end of Park Gardens. There is existing residential development to the west. To the east there is a footpath linking Park Gardens with Hawkwell Park Drive to the south. Beyond this is the car parking area and the playing fields associated with Clements Hall Leisure Centre.

RELEVANT PLANNING HISTORY

- 6.3 Outline application OL/0399/97/ROC for one detached house on part of the current site was refused because of a poor relationship with other dwellings and because of doubts over access.
- 6.4 A full application for a similar form of development on this site (F/0454/98/ROC) was withdrawn.
- 6.5 Also of relevance is an application on land to the south of the site (99/00389/OUT). This was in outline form for the development of one house and was permitted on 9 March 2000.

CONSULTATIONS AND REPRESENTATIONS

- 6.6 The **County Surveyor** has no objections subject to the application of conditions with regard to the treatment of the footpath, visibility splays and access widths.
- 6.7 The **Environment Agency** has no objections **Anglian Water** has no objections in principle but indicates that no development should be permitted within 3m of the centreline of sewers which cross the site.
- 6.8 The **Property and Highways Maintenance Manager (Engineers)** has no objections.
- 6.9 **Hawkwell Parish Council** is concerned that some of the land appears to be within the Green Belt and that it would involve a reduction in the width of the adjacent footpath.
- 6.10 Hawkwell Residents Association comments that parking provision appears to be inadequate which may result in on road turning difficulties. The reduced depth of the proposed plots (as compared with others in Park Gardens) may allow the development of land to the rear off Hawkwell Park Drive. The Association is concerned that the public right of way between Park Gardens and Hawkwell Park Drive may not be maintained.

MATERIAL PLANNING CONSIDERATIONS

- 6.11 In this case it appears that the primary consideration is the location of the proposed development in relation to the Green Belt boundary. It is also necessary however to consider the proposed layout of development on the site and its impact on adjacent occupiers.

Green Belt

- 6.12 The current boundary for the Green Belt is established in the Rochford District Local Plan. As it stands, the boundary of the Green Belt is such that it bisects the site from north to south. Roughly half then (the western half) of the site is within the residential zone of Hawkwell and the other half (approx) of the site falls into the Green Belt.
- 6.13 The applicant point to some special circumstances which they feel justify a decision contrary to the normal policy of restraint in Green Belts (set out in PPG2, strategic and local policy). They point out that, at some stage in the past (during the 1980s) there was a change to the status of the land. Prior to that time none of the site was included within the Green Belt whilst subsequently it was divided in the way described above. The applicant argues that she had no knowledge of this change, at the time that it was made, and had no opportunity to argue against it.
- 6.14 Whilst there has been a change in the status of part of the site from the 1976 Approved Review Development Plan to that on the 1988 Rochford District Local Plan this appear to have been properly made through the preparation first of a Green Belt subject plan, the details of which were then incorporated in the first Rochford District Local Plan.

- 5 The applicant argues that a mistake has been made in the identified Green Belt boundary when it was changed. This is claimed for two reasons, firstly, because it is believed that the boundary was drawn along the line of a trodden footpath on the land (which traversed the centre of the site in the general line that the Green Belt boundary now follows) The applicant claims that the line of the footpath on the ground at the time was not the definitive line but the Green Belt boundary became established along this line Now the situation is that the footpath follows the far eastern boundary of the site and so there is no physical feature on the ground which the Green Belt boundary follows.
- 6 16 Again this may have been the case, but the Green Belt boundary is now established in the position described Whether this came about in the manner described or otherwise it is now necessary to have regard to the boundary which is in place.
- 6 17 The applicant also believes that the boundary was mistakenly drawn because, on the Local Plan map, it is aligned with the boundary of land which forms open space. The Local Plan shows then that the Clements Hall sports fields open space extend onto half (approx) of this privately owned land.
- 6 18 It is clear that this land does not form part of the playing fields open space It is next to that land, and the associated car park, but is fenced off from it Whilst there is an error with the identification of the extent of the open space land (the boundary of this should be where it physically is on the ground, on the eastern boundary of the site) it does not follow that there is necessarily a mistake with the Green Belt boundary. Both came about by different processes and it is likely that the Green Belt boundary assessment occurred first.
- 6 19 In any event, if an error has occurred in the identification of the boundary the appropriate method of redressing this is through the review of the Local Plan (a process now taking place). If the applicants argue that consultation did not take place when a boundary was previously moved, and this was wrong, it would not seem appropriate now to take further decisions which affect this boundary without consultation
- 20 Lastly the applicant argues that the boundary of the Green Belt, as it now stands, even if it is correctly drawn, is inappropriate as it does not follow any identifiable boundary on the ground It is the case that there are no physical boundary features but that is the case in a number of locations where the Green Belt borders onto residential areas and there is no requirement in planning guidance for an inner Green Belt boundary to follow identifiable features
- 6.21 The applicant draws a corollary with land to the south of this site, fronting onto Hawkwell Park Drive, which was recently granted permission for development (99/00389/OUT) Whilst there was some dispute over the location or existence of the footpath or other access rights on this land, it was considered that the land is within the residential zone Therefore the issue of development within the Green Belt was not raised in relation to that development.
- 6 22 There has been some question also about the ownership of the application site land.

- 6 23 As Members will be aware, land ownership questions are not relevant to the consideration of the planning applications. The same considerations would apply irrespective to the actual ownership of the land.
- 6 24 Overall, whilst the arguments of the applicant are acknowledged, it is not considered that these amount to the very special circumstances required to allow development contrary to normal restriction in Green Belt areas. It is considered then that the proposals cannot be supported on that basis.

Layout and Design

- 6.25 The nearest existing property on the south side of Park Gardens, is a two storey property similar in scale and character to those now being proposed. Whilst it does have windows to the side elevation, these are clearly not main windows and any impact on amenity, by the proposed development, would be reduced to an acceptable level by the requirement for obscure glazing and the provision of intervening fencing. There are no other implications for overlooking or loss of privacy that could be considered harmful.
- 6.26 The layout of the site allows for the provision of a 1.5m width footpath to the east of the plots, if they were developed. This will ensure that the existing footpath link would be retained. The plots meet minimum guidelines with regard to the provision of garden areas and car parking.
- 6 27 They do not, however, meet the requirement for a 1m separation to all sides of the plots if the strictest interpretation of this guidance is to be applied. This is because the design of the properties is such that they are joined by the garages. The breach of the 1m separation is only in relation to a single storey element then. This is not considered to result in a particularly harmful situation here or to form the basis of a reason to refuse the proposals, in addition to the Green Belt issue above.

CONCLUSION

- 6 28 Part of the site is located within the Green Belt, as identified in the adopted Local Plan. Whilst the applicant argues that the boundary is not appropriate, and questions the way in which it was identified, these and the other arguments advanced are not considered to amount to very special circumstances which justify a decision other than in accordance with the normal approach of restraint in the Green Belt.

RECOMMENDATION

- 6.29 It is proposed that this Committee **RESOLVES** that this application be **REFUSED** for the following reason:
- 1 RFR8 Green Belt dwellings (amended to reflect the fact that part of the site in the Green Belt).

Relevant Development Plan Policies and Proposals:

H11, GB1 of the Rochford District Local Plan First Review

CS2, C2 of the Essex and Southend on Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr Mrs M A Weir. Cllr J R F Mason.

For further information please contact Kevin Steptoe on (01702) 546366

99/00002/FUL



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TITLE	01/00307/CC CONTINUE TO USE BUILDING FOR BUSINESS (INCLUDING OFFICE) USE. INTRODUCE NON-RESIDENTIAL TRAINING/ COUNSELLING USE. REPLACE EXISTING EXTERNAL SHUTTERS COMBEWOOD WORKSHOP 1, WEBSTERS WAY, RAYLEIGH
APPLICANT	ESSEX COUNTY COUNCIL
ZONING	AREA PRIMARILY FOR BUSINESS USE, RAYLEIGH CONSERVATION AREA
PARISH	RAYLEIGH TOWN COUNCIL
WARD	RAYLEIGH CENTRAL

PLANNING APPLICATION DETAILS

- 7.1 This application will be determined by the County Council and this Authority has been consulted for any views it may wish to raise.
- 7.2 The main element of the proposal is to change the use of the site to a mixed use. It appears that the last use was for B1 purposes (light industrial including an office). This was in use as a workshop for persons with mental health disabilities and ceased use in May 2000.
- 7.3 It is now proposed to introduce, as well as the light industrial use, a non residential training use. It is proposed that this will provide a community mental health resource with the sub division of the building internally to provide training and counselling rooms.
- 7.4 The only visible change will be at ground floor where the current workshop area is to be sub-divided into smaller rooms. Where external access is currently gained to the workshop, through shuttered entrances, these will be replaced by windows and walling. In addition an existing entrance door will be remodelled with new door and side window.

RELEVANT PLANNING HISTORY

- 7.5 Permission was granted for the change of use of the unit to A2 uses in 1989 (CU/0768/89). An application for the change of use of the building for a Bingo Hall was refused in 1991 (CU/0110/91).

CONSULTATIONS AND REPRESENTATIONS

- 7.6 The County Surveyor has no objections.

- 7 7 The County Council **Historic Buildings and Conservation Advisor** comments that the change of use will have no significant impact on the character of the Conservation Area and none on its appearance. The replacement of the shutters with windows would, if anything, be an improvement to the building
- 7 8 The Rayleigh Civic Society has no comments other than to indicate that the appearance of the building could be improved by painting it a light colour.

MATERIAL PLANNING CONSIDERATIONS

- 7 9 It is necessary to consider the impact of the use of the building and the physical changes to it, on the character and appearance of the area and the policy implications

Appearance and Use

- 7.10 Whilst not in the main centre of the town, the building is in an area of business and commercial activity. To the east are the offices of the Mental Health Trust and a printing works. Permission has been given recently for a mixed commercial and residential development to the south (Websters Court) To the west are the rear access areas to the High Street frontage buildings.
- 7 11 The previous use of the building (as a workshop and office) would have required a certain amount of activity to take place which, it is unlikely, would have been harmful to the character of the area.
- 7 12 The level of activity associated with the uses now proposed will be akin to that of the previous use. It is quite possible that any noise generated may be less than previously as a large space identified as a workshop is to be replaced by smaller interviewing, counselling and training rooms
- 7 13 In terms of appearance, the only change proposed is the replacement of shutters with windows/ brickwork and the alteration to a door. These changes are considered to be of a minor nature and in a small way beneficial to the appearance of the building.

Policy

- 7.14 The building is situated in an area identified for B1 uses in the Local Plan. In the relevant policies it is indicated that such uses are to be encouraged and, if other uses are proposed, the Council will consider the implications of the loss of a B1 use.
- 7.15 In this instance the B1 use is not to be lost entirely, although it is fair to say that the majority of the ground floor of the building is to be put to the training/counselling uses. As indicated, the building has been vacant for over 1 year. In terms of employment generation (the motivation behind the desire not to lose B1 uses) and the value attached to the facility, it would seem that the intensive and professional type of use proposed here ranks equally well if compared with a general light industrial type of B1 use

CONCLUSION

- 7.16 It is not considered that the use proposed will have any greater impact on the character and appearance of the area either in terms of activity or appearance. Whilst the use may not accord specifically with the relevant policy for the site the proposed use would seem to accord with the policy objectives and cause no identifiable harm to them.

RECOMMENDATION

- 7.17 It is proposed that this Committee **RESOLVES** that Essex County Council be advised that **NO OBJECTION** be raised to the proposals.

Relevant Development Plan Policies and Proposals:

EB2, EB4, UC1, UC3, SAT17, PU4 of the Rochford District Local Plan First Review

HC2 of the Essex and Southend on Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr Mrs J Helson. Cllr Mrs L I V Phillips.

For further information please contact Kevin Steptoe on (01702) 546366.

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TITLE	00/00610/FUL ERECT THREE 2 BED TERRACED DWELLINGS, LAYOUT ACCESS AND CAR PARKING AREAS FORMER BRITISH LEGION HALL EAST STREET ROCHFORD ESSEX
APPLICANT	MR C NOAD
ZONING	RESIDENTIAL
PARISH:	ROCHFORD PARISH COUNCIL
WARD	ROCHE

PLANNING APPLICATION DETAILS

- 8.1 The application site comprises a generally triangular shaped parcel of land on which formerly stood a British Legion Hall. The Hall was demolished and cleared from the site a number of years ago.
- 8.2 The site is overgrown with invasive weeds and brambles etc. Its frontage to East Street is not enclosed, its western boundary with the Telephone Exchange is marked by a 2m high close boarded fence. The boundary to Weir Pond Road comprises a high chain link fence and a self sown Thorn tree.
- 8.3 The Remembrance area occupies the apex of the junction of Weir Pond Road and East Street and falls outside of the application site. The memorial is positioned as part of a low ornamental wall that defines the eastern boundary with the application site.
- 8.4 There is no footpath along the Weir Pond Road frontage. A narrow path commences in front of the Remembrance area, widening to a normal footpath width along the East Street site frontage.
- 8.5 The buildings in the area are generally two storey in scale, save for the telephone exchange which at the front onto East Street is single storey and to the rear is three storey in scale.
- 8.6 The uses in the area, whilst predominantly residential, are mixed. With the telephone exchange, Post Office sorting depot. and mixed uses further down both Weir Pond Road and East Street. The site falls outside the Rochford Conservation Area.

RELEVANT PLANNING HISTORY

- 8.7 There was an application in 1995 to demolish the existing hall and erect two 2-bed semi-detached houses with vehicular access onto East Street. This application was withdrawn.

- 8.8 Prior to this, all applications relate to the use and development of the former British Legion Hall on the site

CONSULTATIONS AND REPRESENTATIONS

First Round

- 8.9 **County Planner (Archaeological Advice)** - consider this site on the edge of the town centre may hold historical remains which are worth recording and therefore recommend a full archaeological condition requiring a programme of archaeological work in accordance with a written scheme of investigation.
- 8.10 **Environment Agency** - advises the site is within 250m of a former waste disposal site and therefore give advisory comments
- 8.11 **Head of Housing, Health and Community Care** - has no adverse comments subject to Informative SI16 Control of Nuisance
- 8.12 **Anglian Water and Building and Technical Support (Engineers)** - raise no objections.
- 8.13 **County Surveyor** - objects as the layout would give rise to adverse vehicular movements to the detriment of highway safety
- 8.14 **County Planner (Specialist Design and Conservation Advice)** - raises no objections in principle but has concerns over design matters. If traditional looking buildings are intended chimneys are required Also roof, half hips and barge boards need attention.
- 8.15 Further comments on the 4 January are critical of revised plans using a 1.5 storey design and gable arrangements, lack of cohesiveness and chimneys.
- 8.16 **Rochford Hundred Amenities Society** - consider the proposal overdevelopment, noting it as a dangerous corner and suggest a maximum of two properties, preferably bungalows.
- 8.17 **Access Officer for the Disabled** - notes a level or ramped access into each unit and a ground floor W C is required
- 8.18 **Rochford Parish Council** - Objections: overdevelopment; development inappropriate to the site.
- 8.19 Letters have been received from **two local households**. One suggest the site would be better used for parking or as a Taxi Rank rather than build more houses. The other raises concern over the loss of view due to the two storey nature of the building, whereas the former building was only single storey. Also that the design is not appropriate. But they state they are not opposed to the development of the site.

Second Round

- 8 20 **Anglian Water and Environment Agency** raise no objection in principle but give advice concerning foul and surface water drainage.
- 8 21 **Rochford Hundred Amenities Society** - by letter dated 12th February acknowledged that development of the site was likely but considered two dwellings could be comfortably accommodated. Three dwellings, even if this satisfied planning criteria, in their opinion gives rise to grave concerns on the effects on the highway. The site being a notoriously difficult and hazardous corner. Whilst not objecting per se, they do raise these serious highway concerns.
- 8.22 A further response of the 30th March supports any comments from the Parish Council.
- 8 23 **County Surveyor** - recommended refusal on the 3rd January 2001 because of the lack of car parking provision; will create adverse conditions on the adjoining highway in close proximity to an existing junction.
- 8 24 A further recommendation recommending Approval was received on the 9th April 2001 subject to four conditions concerning width of access, no loss of material onto the highway, pedestrian visibility and level of car parking provision.
- 8.25 **Rochford Parish Council** - request the wall beside the War Memorial be built up - this is not visible on the amended plan.
- 8 26 **County Planner (Specialist Conservation and Design Advice)** - considers that the revised design is much improved, the scheme being much simpler and more cohesive than before. Further improvement to the chimneys is possible but the scheme is acceptable.
- 8 27 Further comments on the 15th May note the articulation to the chimney stack on the end unit. That this is an improvement and the scheme is acceptable subject to material conditions.

MATERIAL PLANNING CONSIDERATIONS

- 8 28 In this case the key issues are considered to be:
- the impact on the character of the area having regard to the zoned land use and adjacent War Memorial.
 - the highway implications.
- 8.29 It will be noted from the previous section that the consultations have been grouped into 2 rounds. The application has been subject to a number of revisions essentially as an attempt by the agent to address the key issues identified above and as commented upon by the County Planner (Specialist Conservation and Design Advice), County Surveyor as well as others.

Impact on the Character of the Area

- 8 30 The site is zoned for Residential purposes in the Local Plan. In principle therefore residential development of the site is appropriate.
- 8 31 The site falls outside the Rochford Conservation Area albeit it is on the edge of the historic part of the town. The final revised design of the terrace, respects the historic connections with a simple attractive front elevation and gable end facing the prominent Weir Pond Road/East Street junction. The properties are also sited close to the back edge of the footway and meet the minimum in terms of garden space.
- 8.32 This final design is much improved over the earlier revisions and is now supported by the County Planner Specialist Advisor.
- 8 33 This two storey design fits in well with the predominantly two storey forms in this area.
- 8 34 At the eastern end of the site is the existing Remembrance Memorial which is set against a low ornamental wall. This is positioned between 1.9m and 2.9m away from the footprint of the terraced block. This is considered to represent satisfactory spatial separation to ensure the Memorial is not at risk from the construction works. A condition is recommended to afford protective measures.
- 8.35 The applicant's agent has been requested to clarify intentions with respect to the boundary with the Memorial. A further condition is recommended controlling fences/walls in this vicinity.

Historic Implications

- 8 36 The County Surveyor opposed the earlier versions of the layout, principally because two vehicular accesses were proposed onto East Street. In their view, vehicular access should be restricted to a sole access onto East Street but at the far western end of the site, giving the maximum distance from the Weir Pond Road/East Street junction. At present there is no vehicular access onto the site.
- 8 37 The arrangement also includes a turning area within the site to enable cars to enter and leave the site in forward gear.
- 8.38 Car parking provision is slightly down on the normal requirement set out in the Local Plan namely 1.5 spaces per unit (given the communal arrangement). The actual level of provision is one space per unit. Given its edge of town centre and Conservation Area position, the policy encouragement for relaxation in such circumstances together with National Planning Policy encouragement; this level of provision is considered satisfactory. The application also includes bike stores for each unit.

CONCLUSION

- 8.39 The site is zoned for residential purposes and is currently vacant. Bringing the site once again into active use is to be encouraged. This scheme is recommended for approval following detailed negotiations to address the key issues raised above.

RECOMMENDATION

- 8.40 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following heads of conditions:

- 1 SC4 Time Limits
- 2 SC14 Materials to be Used
- 3 SC17 PD Restriction Extensions
- 4 SC50 Means of Enclosure - Full
- 5 No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority
- 6 The vehicle access to be constructed to a minimum width of 4.8m with a suitable splay from the highway boundary to the dropped kerb crossing.
- 7 The access/driveway to be laid out and constructed in a permanent material, for the first 6m from the highway boundary.
- 8 A pedestrian visibility splay of 1.5m x 1.5m, as measured from the back of the footway shall be provided either side of the access within the limits of the site with no obstruction above 600mm within the area of the splay
- 9 SC79 Car Parking Delineated
- 10 SC59 Landscape Design - Details
- 11 Non Standard - Remembrance Memorial Protection

Relevant Development Plan Policies and Proposals:

H2, H11, H19, SAT16, UC1 of the Rochford District Local Plan First Review

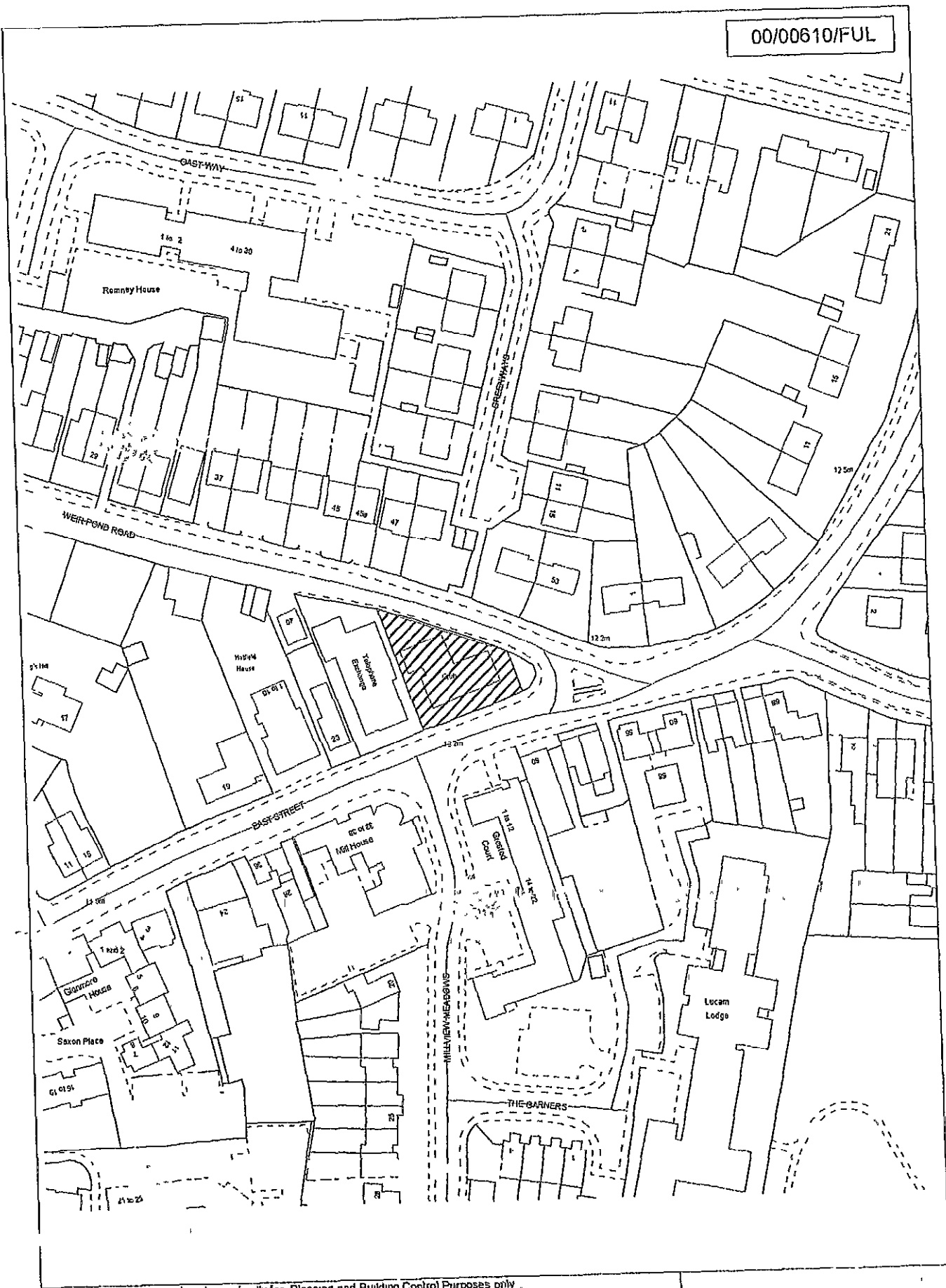
CS1, CS2, CS4, BE1, of the Essex and Southend-on-Sea Replacement Structure Plan.


Shaun Scrutton
Head of Planning Services

The local Ward Member for the above application is Cllr D M Ford

For further information please contact John Whitlock on (01702) 546366.

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TITLE : 01/00259/FUL
CHANGE OF USE OF EXISTING FARM BUILDING TO
DWELLING (INVOLVING ALTERATIONS TO STRUCTURE)
WITH INTEGRAL GARAGE (RESUBMISSION FOLLOWING
REFUSAL 00/00729/FUL)
BURTONS FARM, BARLING ROAD, BARLING MAGNA.

APPLICANT . MR AND MRS A BURGESS

ZONING : METROPOLITAN GREEN BELT, LANDSCAPE
IMPROVEMENT AREA.

PARISH: BARLING MAGNA

WARD: BARLING AND SUTTON

PLANNING APPLICATION DETAILS

The building to which this application relates is one of a number at the farm location. In order to change the use of the building, there would be a number of alterations, including reduction in the existing 'lean to' type additions to the east and west side of the main building. New window and door openings would be created and a first floor would be included within the highest part of the building. Part of the building is to be utilised to form an integral garage. Land to the west of the building would become the garden area

RELEVANT PLANNING HISTORY

- 9 1 Three submissions for the change of use of this building to a restaurant have been made. The first two of these were refused and the second dismissed at appeal. The third submission, however, (CU/186/96/ROC) was granted permission
- 9 2 Two applications have been made prior to this for the conversion of the building to residential use. Application 00/00244/FUL was refused on the basis that the scheme would have a harmful impact on the character of the Green Belt and is contrary to national and local policies that relate to the use of buildings in the Green Belt.
- 9.3 Application 00/00729/FUL was also refused on the basis that there would be a harmful change to the character of the area and that the proposals were contrary to national and local policy.

CONSULTATIONS AND REPRESENTATIONS

- 9 4 The County Surveyor has no objections.
- 9.5 The County Council Planning Officer has no comments.

- 9.6 The **Environment Agency** and **Anglian Water** have no objections.
- 9.7 The **Property and Highways Maintenance Manager (Engineers)** and the **Head of Housing, Health and Community Care** have no objections
- 9.8 The **Barling Magna Parish Council** raises no objections subject to:
- the LPA and Anglian Water being satisfied that surface and foul water can be accommodated in the drainage systems.
 - The application satisfying Green Belt guidelines, and
 - If permission is granted, a condition be attached restricting further development on the site.
- 9.9 The Rochford Hundred Amenity Society support any comments of the Parish Council

MATERIAL PLANNING CONSIDERATIONS

- 9.10 In this case it is relevant to consider the compatibility of the proposals with local and national policies relating to the re-use of buildings in the Green Belt, bearing in mind the extant permitted change of use, and the impact of the alteration proposed on the character of the building and area.

Policy

- 9.11 There are clear national and local policies in place which aim to protect the integrity of the Green Belt. Relevant national policy is set out in PPG2, Green Belts and PPG7, The Countryside etc. In PPG2 a number of tests are set out which, if met by the proposals, indicate that the development is not inappropriate.
- 9.12 In this case, the proposals do not appear to be in any significant breach of these tests. The conversion proposed does not involve any additional building, the garage proposed is to be integral, and conditions could be applied to any permission to restrict any future additions to the property.
- 9.13 In PPG7, it is set out that the guiding principle for development is that it should both benefit economic activity and maintain or enhance the environment (para 2.3). Further advice is given on the re-use of buildings in paras 3.14 to 3.16. It is indicated that there should be no reason for preventing the re-use of buildings for business purposes, subject to certain criteria.
- 9.14 With regard to residential conversions it is noted that a change from a business use to a residential one does not benefit the rural economy. That is not the case here however as the building is currently not in a business use, even though permission has been granted for one, the restaurant. When residential conversions are proposed where there is no current or previous commercial use, it is noted in the guidance that such a conversion can have minimal economic impact but that business conversions will have a more beneficial impact. It is indicated that the LPA should consider the need in the area for business or residential conversions especially where local employment creation is a priority.

- 5 There is a clear thrust in the national guidance therefore that commercial conversions are to be favoured over residential ones, particularly if the residential use would result in the loss of a commercial use. Taking that background into account the Planning Authority then has to assess the extent to which job creation is a priority and the existing characteristics of any site.
- 9.16 The fact is that there is a business conversion permission on this site which has not been activated to date. This may be because of viability issues or may be to do with the aspirations of the owner of the site. Apart from economical issues, the policy favours commercial uses as it is perceived that these have less impact on the character and appearance of the countryside. Generally that may be the case, but it is necessary to consider the particulars and whether a residential use (with the domestication of the site) would be more harmful than the activity associated with the permitted commercial use. In addition, whilst economic benefit is an important aim of the authority, it is considered to not be so significant that residential uses should always be deferential to commercial ones.
- ✓ 17 Turning now to the Structure and Local Plan properties. The relevant Structure Plan policy is RE2. This refers to the national objectives of diversifying the rural economy and that preference will be given to commercial uses for converted buildings. It is noted however that care should be taken not to introduce additional activity likely to change the character of the area.
- 9.18 With regard to residential conversions it is noted that these will not normally be permitted if the building occupies an isolated site in the countryside well away from existing settlements. This is open to interpretation of course. This building is located within a group of others but in general terms this area is isolated. The degree to which it is well away from settlements is also a matter of judgement. The Structure Plan gives no further guidance in this respect.
- 9.19 It is further noted that the creation of a residential curtilage should not have an unduly harmful impact on the character of the countryside. In this case, because of the location of the building, to the south (rear) of other buildings and located its siting where it is not readily visible from public locations, it is considered that any harmful impact can be overcome by conditions restricting changes to the boundaries of the site.
- 9.20 Local Plan policy was formulated prior to the revised government guidance in PPG2 and 7. In policy GB5 it is set out that residential conversions will be allowed only exceptionally within the terms of policies GB1 (development generally in the Green Belt) and GB3 (Agricultural Dwellings). The proposals do not meet the criteria of either of these policies, but it is considered that less weight can be attached to the Local Plan in respect of this matter given the advances in the Structure Plan and government guidance.

Impact on Character

- 9.21 The proposals involve a reduction the overall footprint of the building, reducing the depth of the two offshoots so that tile roofing materials can be used. Throughout, traditional materials are proposed, the use of which could be safeguarded by the means of conditions.

- 9.22 A number of new window and door openings are to be created. Some of these are a little unsympathetic in size and shape to the character of the building. However they are not considered significantly detrimental
- 9 23 If the buildings were in agricultural use and they were proposed to be upgraded with the materials anticipated in this application, they would no doubt be welcomed as an improvement to the buildings. The fact is however that a change to residential use is proposed and there will be a change in the character away from an agricultural one to one which is more domestic in nature. The worst excesses of that change however can be restricted by conditions on, for example, the use of materials, fenestration and boundary treatments.

CONCLUSION

- 9 24 This is the third in a line of applications which seek to change the use of this building to residential use and certainly one which has the least impact on the character of the area. This is because of the design which has been pursued and the avoidance of any additional buildings to serve as residential outbuildings. In this case there is no additional garage proposed and part of the existing structure is to provide an integral garage.
- 9 25 Both of the previous applications have been refused on the basis of the national, strategic and local policies which favour commercial reuses over residential ones. There was also a concern that the impact on character and the appearance of the area due to additions and changes to the property.
- 9 26 National guidance does not prohibit the reuse of buildings in rural areas for residential uses, particularly when economic development objectives are not compelling. A number of conversions for commercial use have been permitted in the area generally, and in this case the implications of the proposals on the character of the area are considered to be minimal. On that basis it is considered that permission can be favourably considered.

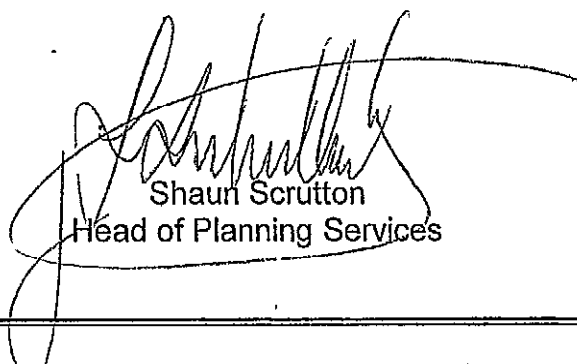
RECOMMENDATION

- 9 27 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following heads of condition:
- 1 SC4 Time limits
 - 2 SC6 Alternative development (prohibiting the commercial permission if this residential one is implemented)
 - 3 SC14 materials to be used
 - 4 SC16 Restriction over permitted development – no enlargement, porches, insertion of windows or outbuildings
 - 5 SC55 retention of the hedgerow to the west side of site
 - 6 SC75 parking and turning space
 - 7 SC50 Means of Enclosure With PD Restriction

Relevant Development Plan Policies and Proposals:

H11, GB1, GB3, GB5 of the Rochford District Local Plan First Review

CS2, C2, RE2 of the Essex and Southend on Sea Replacement Structure Plan

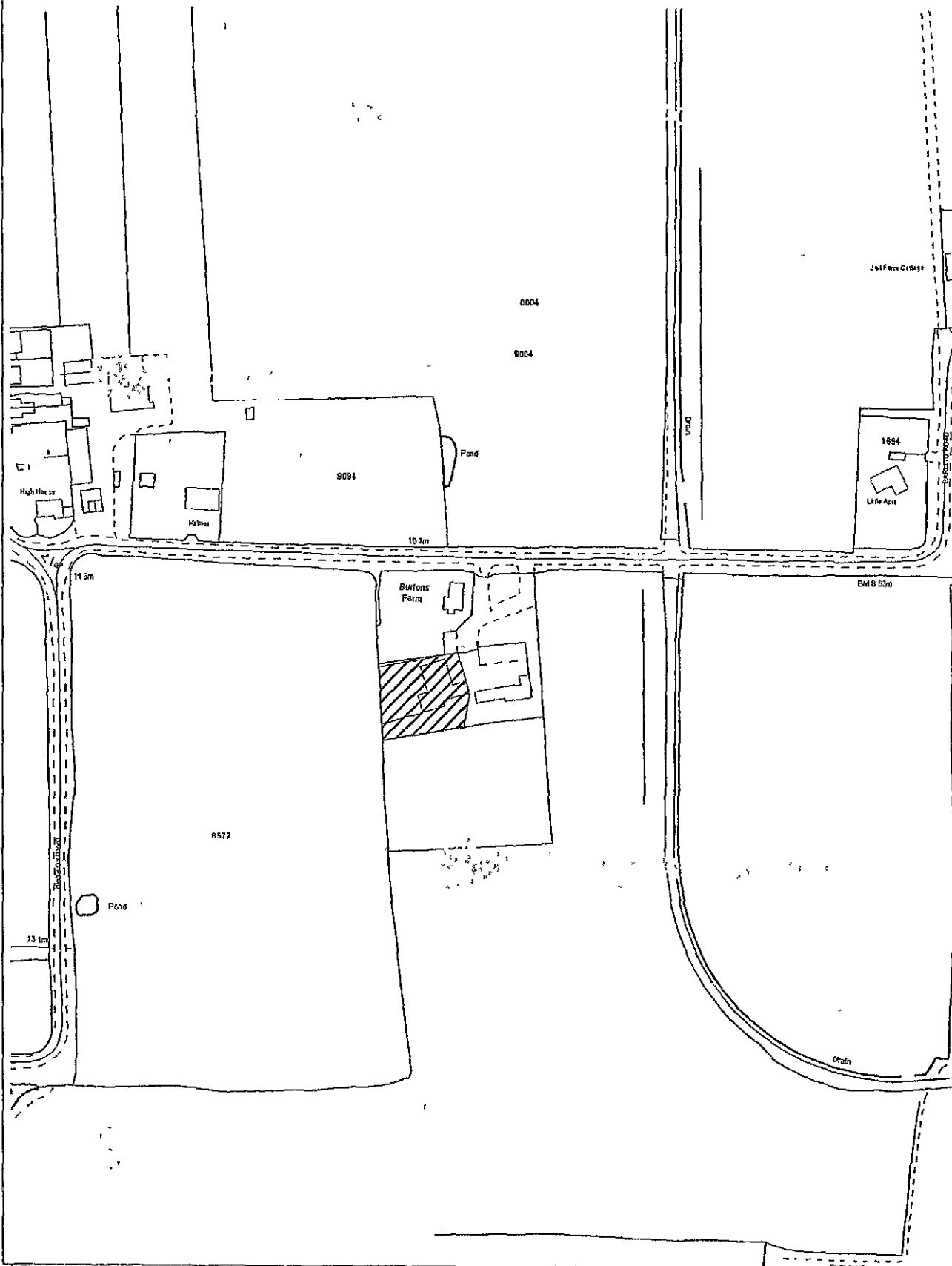


Shaun Scrutton
Head of Planning Services

The local Ward Member for the above application is Cllr. R S Allen

For further information please contact Kevin Steptoe on (01702) 546366

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