



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
PLANNING COMMITTEE 25th July 2002**

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

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

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

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

## **PLANNING COMMITTEE 25th July 2002**

### **REFERRED ITEM**

R1	02/00366/FUL	Kevin Steptoe	PAGE 5
	Erect 4-Bed Detached Chalet Style House with Integral Garage (Amendment to Plot 1) 1 Sunny Road Hockley Essex		

### **SCHEDULE ITEMS**

2	02/00493/CM	Lorna Maclean	PAGE 10
	Extend Existing Staff Car Park Edward Francis School Uplands Park Road Rayleigh		
3	02/00316/COU	David Beighton	PAGE 14
	Change Of Use of Agricultural Buildings to Storage Use Pelhams Farm Hall Road Rochford		
4	02/00135/LBC	Kevin Steptoe	PAGE 19
	Replacement Windows and Doors, Internal Sub- Divisions and Restoration of External Brickwork Rayleigh Windmill Bellingham Lane Rayleigh		
5	02/00332/FUL	Peter Whitehead	PAGE 24
	Demolition And Replacement Of 50-52 West Street With 3no. Dwellings. Conversion Of 54 West Street And Attached Outbuildings To 2 No. Dwellings. Together With erection Of 3no. Dwellings To The Rear 50-54 West Street Rochford		
6	02/00468/CON	Peter Whitehead	PAGE 34
	Application For Conservation Area Consent For the Complete Demolition Of 50 And 52 West street, Together With The Partial Demolition Of 54 west street (Specifically The First Floor Link Adjoining No.52). 50-54 West Street Rochford		

7                      02/00304/FUL                      Christopher Board                      PAGE 42  
Vehicle Dismantling and Recycling Works Comprising  
Open Storage Areas, Covered Vehicle Parking, Office  
and Workshop Access Roads and Parking  
Land North Of Purdeys Industrial Estate Brickfield  
Way

## **PLANNING SERVICES COMMITTEE - 25 July 2002**

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### **HAWKWELL WEST**

Cllr J R F Mason

Cllr Mrs M A Weir

### **ROCHFORD**

Cllr R A Amner

Cllr Mrs L Barber

Cllr Mrs M S Vince

### **TRINITY**

Cllr K A Gibbs

Cllr J E Grey

### **WHEATLEY**

Cllr J M Pullen

Cllr Mrs M J Webster



**PLANNING SERVICES COMMITTEE - 25 July 2002      Item R1**  
**Referred Item**

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TITLE :                    **02/00366/FUL**  
                              **ERECT 4-BED DETACHED CHALET STYLE HOUSE WITH**  
                              **INTEGRAL GARAGE (AMENDMENT TO PLOT 1)**  
                              **1 SUNNY ROAD HOCKLEY**

APPLICANT :            **COTTRELL AND FROST**

ZONING :                **RESIDENTIAL**

PARISH:                **HAWKWELL PARISH COUNCIL**

WARD:                  **HAWKWELL WEST**

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This application was included in Weekly List no. 632 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 16<sup>th</sup> July 2002, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr J R F Mason.

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

**1.1 Hawkwell Parish Council – No objections.**

**NOTES**

- 1.2 A four bed chalet style dwelling is proposed in this application in an amendment to the dwelling previously approved at plot 1 to the development of five properties at the corner of Sunny Road and The Westerings. The dwelling will have a built frontage of 7.15m (23'6") (excluding a projecting chimney breast, no change from the approved dwelling). It is to have a depth of 12.25m (40'2") (excluding a front porch) an increase of 0.5m over the approved (1'7"). The height to the eaves will be 4.45m (14'7") (an increase of 2m (6'7")) and to the ridge of 8.5m (27'11") (an increase of 1.7m, 5'7"). It will be located 10m (32'10") from the highway edge.
- 1.3 The approved dwelling was to have four beds and also be of a chalet style. Its dimensions were proposed to be width 7.15m (23'6") again excluding the side chimney, depth 11.75m (38'7") and height to the eaves of 2.45m (8'5") and ridge of 6.8m (22'4"). The approved dwelling was to be located 10.5m from the highway edge (34'5").
- 1.4 Essex County Council **Highway Authority** comments that the proposals are de-minimis in highway terms but that all parking should be clear of the junction visibility provided for Sunny Road. The **Environment Agency** makes advisory comments should there be any need for culverting, in relation to consultations on water disposal issues and in relation to means to ensure that there is no pollution to groundwaters.

## PLANNING SERVICES COMMITTEE - 25 July 2002      Item R1

### Referred Item

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- 1.5 **Anglian Water** has no objections in principle and makes no addition to its comments in relation to the original development proposals on the plot (which were that a condition should be attached requiring details of foul and surface water drainage to be agreed and that no building works take place within 3m of existing sewers at the frontage of the site).
- 1.6 **English Nature** notes that the proposals relate to an amendment to an earlier proposal and refers to its earlier response. This earlier response indicated that the organisation is of the view that, as part of any design brief, the presence or absence of any protected animal should be established. If protected species are present an ecological survey should be required. Bats may use the existing dwelling on site. (Note – that dwelling is now demolished and indeed was demolished at the time of the initial submission). It is indicated that the Council should satisfy as to whether an updated survey is required and details are given of the information to be sought if protected animals are thought to be present. The organisation could comment further on such information.
- 1.7 The Property Maintenance & Highways Manager (**Engineers**) repeats his earlier comments (which were: he notes that the area (but not necessarily this site) has land drainage problems. Recommended that surface water piped to surface water sewer rather than soakaways).
- 1.8 Two neighbouring occupiers have responded to consultations. The points raised include, in the main, the following:
- believe that overall plot too small for 5 dwellings but were pleased with the previous height of the dwelling for plot 1. Oppose the rise to the dwelling height but have no objection to the depth. Considered unreasonable that development proposals should change once an initial permission granted.
- (One objector refers to letters submitted at the time of the original permission when the points raised related to: traffic congestion; loss of view; out of character and limited scope for landscaping).
- 1.9 It is appropriate to consider the relationship between the proposed dwelling and the existing one adjacent and the change in impact that the proposals will have in the street scene. The adjacent property (no 21 The Westerings) is located 9.9m (32'6") from the highway edge and has a depth of 10.9m (35'9") so that even with the change in location and depth of the proposed property it will not project further forward of the adjacent property. To the rear there will be a projection. It will be of no more than 1.45m (4'9") and will not breach the Local Plan appendix 45 degree line policy (applicable to extensions). Dominance impact will be reduced by the fact that the new house is to have a slab level 0.25m (10") below the height of the existing.

**PLANNING SERVICES COMMITTEE - 25 July 2002      Item R1**  
**Referred Item**

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- 1.10 To the flank the approved dwelling was to have a single window to the upper floor (obscure glazed) facing onto no 21 and two at ground (clear glazed). Now two are proposed at first (both of which can be obscure) and two and a door at ground (again which could be obscured). It is not considered that the altered impact is an unacceptable one.
- 1.11 To the other side, the approved dwelling was to have two upper floor windows (one obscure glazed) and a door and window at the ground. Two upper floor windows remain (still one obscure) with two clear ground floor windows. There is potential for observation from these windows to plot 2 and vice versa. The impact however is not as critical as overlooking to established property, and can be reduced to an acceptable level with intervening fencing.
- 1.12 The occupants of the dwelling at 21 The Westerings have enjoyed views over and the open aspect of the former large garden of 1 Sunny Road by virtue of side windows to their kitchen. The policies of the Local Plan do not seek to protect amenity enjoyed by virtue of the aspect of side windows but the impact was considered to be reduced by the implementation of the chalet first approved for plot 1. The dwelling now proposed will have a greater impact but given this is to the side, it is not considered that it is a sufficient basis on which permission could be withheld. The main aspect of the main living room to the 21 Westerings dwelling is to the rear and the opposite side from this new site. There will be minimal impact on that.
- 1.13 The street scene on The Westerings is varied, comprising bungalows, chalet style and two storey dwellings. This plot, and the remaining dwellings on the site are to be set very broadly at the level of the adjacent at no 21 (this plot being lower). Whilst it is raised in height when compared with the originally approved dwelling, it remains a dwelling type which will provide a mix to the elements of the street scene and is therefore considered to remain acceptable.
- 1.14 English Nature raise the issue of protected animals on the site. This issue was considered when the original submission for the site was made. The Woodlands and Environmental Specialist inspected the site and found no indication of the presence of protected animals and the Authority made a decision on this basis. It is considered that there is no reason to indicate other than the situation remains unchanged.

**APPROVE**

- 1 SC4 Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC18 PD Restricted - Outbuildings
- 4 SC22 PD Restricted - Windows (Above FFFF Lvl)
- 5 SC50A Means of Enclosure - Full
- 6 SC66 Pedestrian Visibility Splays (Single)
- 7 SC74 Driveways - Surface Finish
- 8 SC84 Slab Levels Specified

**PLANNING SERVICES COMMITTEE - 25 July 2002      Item R1**  
**Referred Item**

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- 9    SC90 Surface Water Drainage
- 10   SC91 Foul Water Drainage
- 11   SC23 PD Restricted - OBS Glazing

**Relevant Development Plan Policies and Proposals**

H1, H2, H11, H25, of the Rochford District Council Local Plan First Review

CS1, BE1, H2, H3, of the Essex Structure Plan Adopted 2<sup>nd</sup> Alteration



Shaun Scrutton  
Head of Planning Services

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



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**TITLE :**                    **02/00493/CM**  
**EXTEND EXISTING STAFF CAR PARK**  
**EDWARD FRANCIS SCHOOL, UPLANDS PARK ROAD,**  
**RAYLEIGH**

**APPLICANT :**            **ESSEX COUNTY COUNCIL**

**ZONING :**                **PRIMARY SCHOOL**

**PARISH:**                **RAYLEIGH TOWN COUNCIL**

**WARD:**                  **TRINITY**

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#### **PLANNING APPLICATION DETAILS**

- 2.1 The proposal is to extend the existing staff car park onto land, which is currently, grass to provide 32 spaces currently there are 19 spaces. The school governors support the application and have outlined the need for additional car parking which jointly serves the Infant and Junior Schools. In their support for the application the Governing body has concern that inadequate parking is provided for the number of staff. It is stated that it is impractical for staff to travel by other methods given their distance from the school and the heavy loads they carry. Attention is also drawn to the fact that the current car parking arrangements do not allow an area to be kept clear for emergency vehicles. This would present a particular problem if a delivery was taking place at the time of an emergency. It is considered that the new arrangement would be of benefit in health and safety terms.

#### **RELEVANT PLANNING HISTORY**

- 2.2 There is no relevant planning history.

#### **CONSULTATIONS AND REPRESENTATIONS**

- 2.3 No responses to consultations have been received.

#### **MATERIAL PLANNING CONSIDERATIONS**

- 2.4 This is an application that Essex County Council will determine; it has been brought to Planning Services Committee to formulate a view in response to consultation.
- 2.5 The main issues to consider when assessing this planning application is compliance with current parking standards.

- 2.6 The school currently has marked car-parking spaces for 19 cars. The new car parking standard for schools prepared by the Essex Planning Officers Association (August 2001) and adopted by this Authority is on merit but as a general guide:-
- 1 space per 2 daytime teaching staff. Consideration also to be given to waiting facilities and provision for public/school transport at schools as appropriate.
- 2.7 Therefore on the quota basis 16 spaces would be required. However, on merit, considering the 32 teaching staff plus other staff. 32 spaces are appropriate. The standards require that consideration should be given to the provision of waiting areas and for public or school transport however the plans have not designated any of the additional spaces for such purposes.
- 2.8 The car parking standards only take into consideration teaching staff and do not make any provision for any other staff such as administrative staff. There are five administrative staff employed at the schools (as well as a kitchen staff and midday assistants) therefore if the car parking standards used for teaching staff are applied this would mean 2.5 parking spaces would be required.
- 2.9 The pre-August 2001 standards as set out in the Rochford District Local Plan required 1 space for each member of teaching staff plus 1 space per classroom (to a maximum of 10). Also playground to double up for parking on open days and where necessary school bus provision. Applying this former standard, the 32 spaces proposed would remain under provision.
- 2.10 The schools also stress the Health and Safety aspects are a major concern. Access for fire engines or ambulance in the current car park could be difficult if not impossible, especially when delivery vans are present.
- 2.11 The car park is used by both the primary and junior schools, which employ in excess of 37 full time members of staff. It is understandable that more spaces than the allocated 16 under current car parking standards are sought as there is not only teaching staff employed at the school. However, the new standards are intended to limit reliance of private cars and encourage other modes of transport, noting the schools are situated in an area that is not far from Rayleigh town centre which is well served by public transport.

**RECOMMENDATION**

- 2.12 It is proposed that this Committee **RESOLVES** to raise **NO OBJECTION** to the application.

**Relevant Development Plan Policies and Proposals**

CS5 of the Essex and Southend-on-Sea Replacement Structure Plan



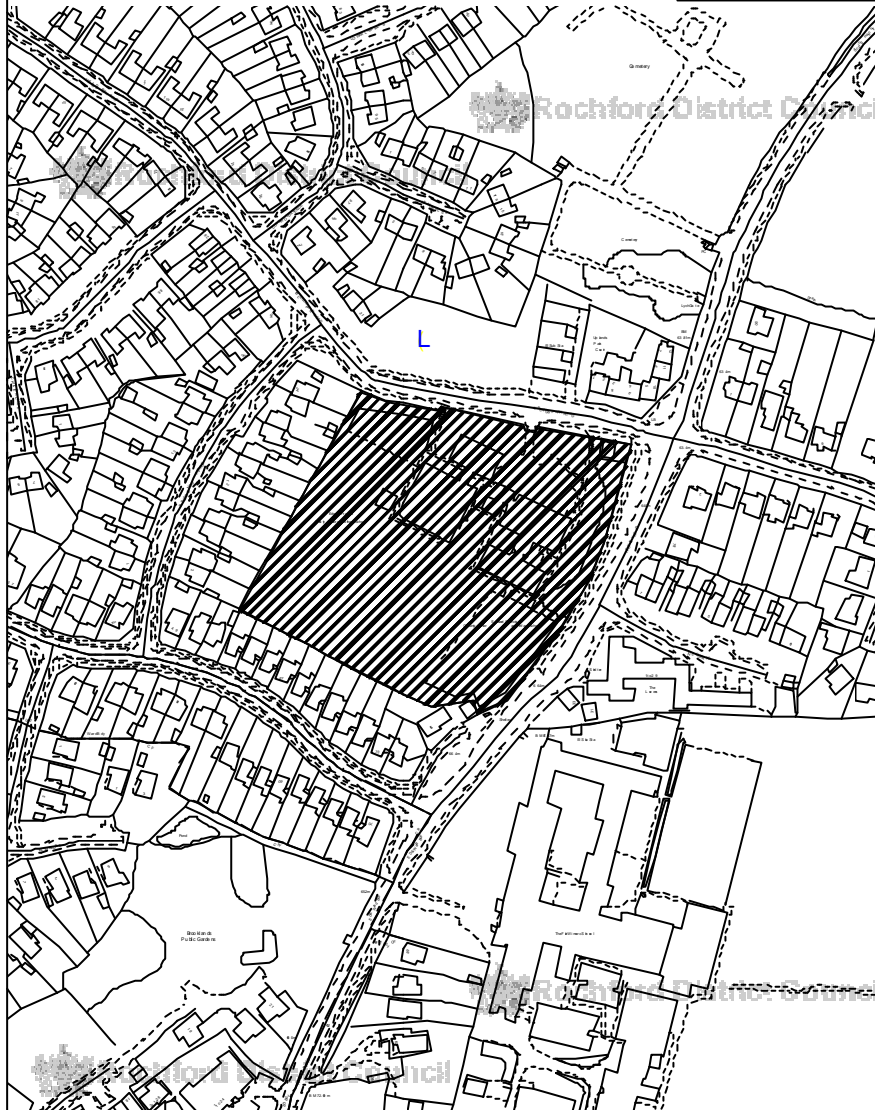
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Head of Planning Services

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02/00493/CM



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TITLE :                    **02/00316/COU  
CHANGE OF USE OF REDUNDANT FARM BUILDINGS TO  
GARAGES FOR STORAGE USES. PELHAMS FARM, HALL  
ROAD, ROCHFORD.**

APPLICANT :            **RANKIN FARMS LIMITED**

ZONING :                **METROPOLITAN GREEN BELT**

PARISH:                **ROCHFORD PARISH COUNCIL**

WARD:                  **ROCHFORD**

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### **PLANNING APPLICATION DETAILS**

- 3.1    This is a retrospective application to change the use of redundant cart lodges into garages, which are then subsequently let out for general storage purposes. Prior to their conversion the buildings had been vacant for a period of time and in 2000 the owners took the decision to improve the buildings and let them out for storage.

### **RELEVANT PLANNING HISTORY**

- 3.2    This matter was brought to the attention of the Planning Enforcement team in September 2001. Following investigations a retrospective planning application was requested and submitted. There have been no other relevant planning applications on this site.

### **CONSULTATIONS AND REPRESENTATIONS**

- 3.3    **Essex County Council – Transportation and Operational Services.**  
Have no objection to the application but suggest that conditions be applied to ensure adequate access and parking and that site splays be maintained at all times.
- 3.4    **Essex County Council – Historic Buildings and Conservation.**  
Are very much in favour of the application as the character of the building and of the farmyard setting has been retained and not harm has been done to the setting of the Listed Building. Suggest that a condition be imposed to ensure the doorways to the buildings are painted black so as to be more in keeping with the character of the rest of the buildings.
- 3.5    **Rochford Hundred Amenities Society** – Have no adverse comment.
- 3.6    **Essex Police** – Have no objections to this change of use.

- 3.7 Neighbour Objections – There has been just one response from members of the public. This response objected on the grounds that the development represents an industrial invasion into a semi-rural area.

**MATERIAL PLANNING CONSIDERATIONS**

- 3.8 It is worth noting that the physical refurbishment of the buildings would not have required consent and that this proposal relates purely to the change of use of these buildings and the subsequent impact of this use on the wider environment.
- 3.9 Policy GB5 of the Rochford District Local Plan (First Review) advocates the re-use of redundant buildings within the Green Belt subject to compliance with various criteria.
- 3.10 The first of these is that no significant alterations or additions are necessary to facilitate the use. In this instance the original refurbishment of the buildings would not have required consent and, in any event, those works that were necessary (insertion of doors / replacement of façade etc) on these buildings are not considered significant.
- 3.11 Secondly, in order for such proposals to be granted they will need to be proven to have no effect on the openness and visual amenities of the Green Belt. In this instance there will be no open storage of goods or items and whilst this proposal may lead to a slight increase in the numbers of vehicles parking or unloading at the site it is worth noting that this site was previously used for agricultural purposes; no doubt involving fairly significant parking, manoeuvring and unloading of agricultural vehicles. The net increase in vehicle terms is therefore likely to be negligible.
- 3.12 Thirdly, Policy GB5 states that for consent to be granted the building must have an adequate and satisfactory access to the existing highway network. The buildings here are well served via Cherry Orchard Way onwards to the wider highway network. Furthermore, Essex County Council as the relevant Highway Authority have no objections to the proposal, subject to the imposition of conditions to ensure adequate car parking within the site and to assist free ingress and egress into and out of the site.
- 3.13 Fourthly, successful proposals must have adequate off-street parking available. Given the low key storage use involved, very little parking is actually required and the applicant does not propose any formal car parking area. The Highway Authority suggest the imposition of conditions since there is currently adequate space between the buildings on site to ensure sufficient car parking space without compromising the visual amenities of the area.
- 3.14 Fifthly, in order for consent to be granted Policy GB5 suggests that conditions be imposed limiting the use of the site. This can be done so in order to ensure that the use of the site remains purely a storage use and that no other use incidental or ancillary to this use will be permitted without a separate approval. For example the use of the site could be limited, via a condition, to B8. This would remove the possibility that the use of the site could then change to B1 - a change that, in certain circumstances, does not require consent.

- 3.15 Sixthly, Policy GB5 states that alternative uses will be considered on their merits having regard to the scale, nature and potential impact of the use. In this instance, the number of callers to the site is considered to be minimal but, to ensure the residential amenity of nearby properties, it may be necessary to impose a condition restricting the times that users of the buildings may call at the site.
- 3.16 Seventhly, Policy GB5 states that retail sales will not normally be permitted. However, since this proposal is purely for storage this is not an issue and any future sales from the site would ordinarily need to be subject to a separate planning application.
- 3.17 The penultimate stipulation of Policy GB5 is that proposals to residential uses will not normally be permitted. This is clearly not the case in this instance.
- 3.18 Finally, Policy GB5 provides stipulations for buildings that are not actually redundant at the time of the application. In this instance, whilst the structures are not currently redundant this is merely due to the fact that the application is a retrospective one. Previously, as evidence submitted with the application show, the structures were redundant and that any works undertaken since have merely been for the purposes of refurbishment and repair and so have not needed the consent of this Authority.

### **CONCLUSION**

- 3.19 The fact that these buildings are within the Green Belt is noted and conditions must be imposed to ensure the continued protection of the openness and visual and residential amenity of the area. However, Policy GB5 strongly advocates such uses, especially of attractive timber structures such as these, and, via the imposition of suitable conditions, all of the nine criteria laid down in this Policy can be shown to have been satisfied.

### **RECOMMENDATION**

- 3.20 It is proposed that this Committee **RESOLVES** that the application be **APPROVED** subject to the following conditions:
- 1 The required visibility splays at the entrance to the site are to be provided and maintained at all times. That is 2.4 by 90 metres to the west and 2.4 metres as far as the roundabout at the junction of Hall Road and Cherry Orchard Way (B1013).
  - 2 Within 3 months from the date of this permission the eight doorways of buildings A and B (currently coloured green) shall be painted or otherwise coloured black or in any other dark colour as has been previously agreed formally in writing by the Local Planning Authority.
  - 3 No good(s), article(s), product(s) or other material(s) shall at any time be stored or otherwise deposited on any of the open areas of the site.
  - 4 SC28 – Use Class Restriction – B8

- 5 No deliveries or collections shall be taken at or dispatched from the site outside the hours of 7:30 to 18:30; Monday to Saturday, nor at any time on a Sunday, Bank or Public Holidays.
- 6 This permission relates purely to those buildings marked "A" and "B" on the approved plans and to none of the other buildings within the application area.

**Relevant Development Plan Policies and Proposals:**

GB5 of the Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

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For further information please contact Dave Beighton on (01702) 318097

02/00316/COU

Rochford District Council

Rochford District Council

Stroud Green

Pebam's Farm

The Cock (pre)

Bla Slop

Ten House

Rackery Cottage

Pebam's Farm

Green Cottage

Zebra

Ardagh House

Pebam's Farm

Tan ko

Drain

14.58m

Rochford District Council

Rochford District Council



**TITLE :**                    **02/00135/LBC**  
**REPLACEMENT WINDOWS AND DOORS, INTERNAL SUB-**  
**DIVISIONS AND RESTORATION OF EXTERNAL**  
**BRICKWORK**  
**RAYLEIGH WINDMILL, BELLINGHAM LANE, RAYLEIGH**

**APPLICANT :**            **ROCHFORD DISTRICT COUNCIL**

**ZONING :**                **COMMUNITY USE**

**PARISH:**                **RAYLEIGH TOWN COUNCIL**

**WARD:**                  **WHEATLEY**

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#### **PLANNING APPLICATION DETAILS**

- 4.1 No new build is proposed as part of these works. Instead they relate to the renovation of the windmill building. The background to the proposals is the aspiration to bring the windmill building into more active use and to operate much more as a tourism focus for the town. Submissions have been made for lottery funding to carry out the works.
- 4.2 Doors and windows are to be replaced in authentic style. Internal subdivisions are required for fire regulation purposes. These constitute glazed screens to the lower three floors. Brickwork restoration is proposed to counteract the effects of frost and other damage.

#### **RELEVANT PLANNING HISTORY**

- 4.3 The only recorded application that has been made in the recent past for the windmill building itself was for the placing of a heritage plaque in 2000.
- 4.4 Other applications have been made for development proposals in the immediate area and include the remodeling of the car park and demolition of the social club building (ref 00/00064 and 00/00071) and the construction of the Environmental Centre building following demolition of the landscaped area (ref 99/00682 and 99/00683).

#### **CONSULTATIONS AND REPRESENTATIONS**

- 4.5 Essex County Council **Highway Authority** indicate that the proposals are de-minimis in highway terms.

- 4.6 Essex **Historic Buildings and Conservation Area Advisor** feels that additional information is required in relation to the construction of the fire doors, the incorporation of the existing structural members. He is uncertain with regard to the impact on the internal character of the building. He is also uncertain in relation to the authenticity of the doors and windows proposed.
- 4.7 When consulted on additional plans and information the advisor comments that the internal glazed screens are satisfactory and he has no objection to these. With regard to the doors and windows he still considers that these need to be illustrated and suggests drawings of a scale of at least 1:20 be produced and agreed. (these would be required by means of a suggested condition).
- 4.8 Essex **County Millwright** comments that there is insufficient information to determine whether the proposals will be in keeping with the mill. More detailed drawings are requested.
- 4.9 The **County Archaeological Officer** comments that the proposals are unlikely to disturb known archaeological remains and no archaeological recommendations are made.
- 4.10 Essex **Crime Reduction Officer** suggests the use of CCTV cameras within and to the rear of the building to add to those installed within the adjacent car park area.
- 4.11 **Rayleigh Town Council** has no objections
- 4.12 Rayleigh Civic Society is pleased to note the work proposed

#### **MATERIAL PLANNING CONSIDERATIONS**

- 4.13 Given that the windmill is a listed building and within the conservation area, it is necessary to consider the impact of the works on the character, visual appearance and integrity of the building. It would be appropriate also to take into account the purpose to be achieved as a result of the works.

#### **Impact on appearance**

- 4.14 In terms of external appearance the changes which would be apparent would be the replacement of the windows and doors and the restoration to the brickwork. The windows and doors are intended to replace those which were inserted in the building probably in the 1960s and which are not considered to be architecturally correct. Despite the misgivings of the advisors, set out above, photos of the building from 1909 show the style of door and window which were in place at that time and which are to be replicated now. These would appear appropriate for the building.
- 4.15 Brickwork restoration will involve the removal and replacement of inappropriate mortar and the removal and replacement of damaged brickwork. It is considered that this will enhance the appearance of the building.



- 4.16 Internally, changes will involve the introduction of screens to the stairs to each level for fire safety purposes. There has been some concern that the screens would interrupt the integrity of the building as they would not allow the viewer to appreciate the cylindrical shape of the building.
- 4.17 Following discussions on this issue however, which included one of the specialist advisors, the architects have devised a specification which utilises the maximum area of clear (non wired) glazing. The revised drawings submitted as a result would appear to meet the concerns of the advisors. They have been reconsulted but with no additional feedback to date. Any additional comments to be included in the addendum paper at the meeting.

#### **Purpose of works**

- 4.18 The proposals form part of a scheme to open up the building to wider public use. As part of the scheme, features such as video equipment within the building, are proposed to allow those who could not otherwise climb the stairs through disability to appreciate the full extent of the building. The outcome of these proposals compares favourably, it is considered, with the current situation where much of the building is out of bounds for the general public for much of the time.

#### **CONCLUSION**

- 4.19 It is considered that the works will not have an unacceptable impact on the building, its character or that of the conservation area. Indeed, externally, it is considered that the restoration works will be a positive improvement. Whilst there may be some doubt as to the authenticity of the detailing proposed, it seems appropriate when older records of the building are considered.
- 4.20 Whilst the internal works will have some impact on the appreciation of the internal spaces, without them public access would remain restricted and as a result there would be no such general appreciation anyway. It is considered that the extensive use of glazing does much to reduce any impact. The admittance of the public to the building must be given some considerable weight in terms of the outcome of these proposals.

#### **RECOMMENDATION**

- 4.21 It is proposed that this Committee **RESOLVES** to **GRANT** Listed Building Consent subject to the following conditions:
- 1 Time limits – Listed Buildings
  - 2 Condition requiring details of materials to be used externally
  - 3 Condition requiring further details of new/ replacement doors and windows
  - 4 Condition requiring details of the sub-divisions

**Relevant Development Plan Policies and Proposals:**

Rochford District Local Plan First Review LT15, UC1, UC7

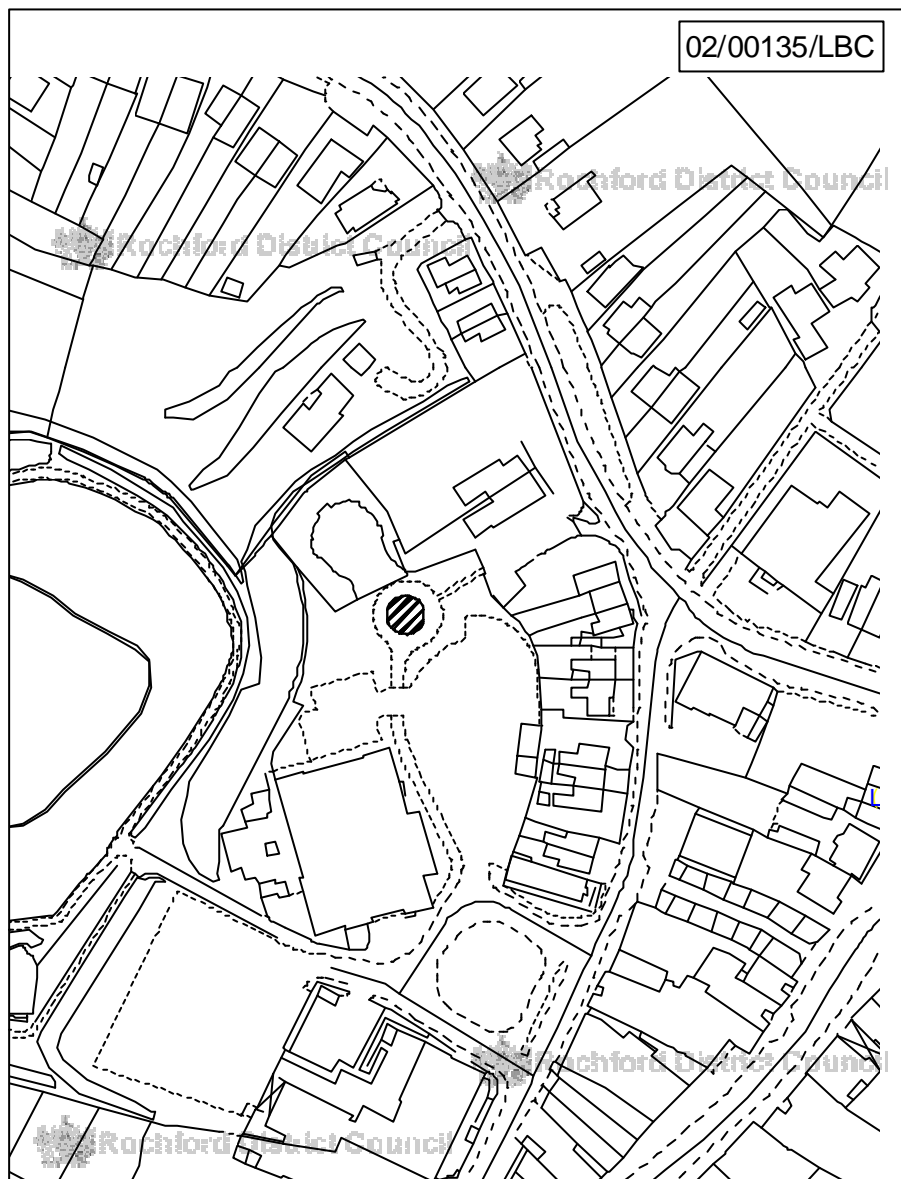
Essex and Southend-On-Sea Replacement Structure Plan CS1, CS2, HC2, HC3, TCR3



Shaun Scrutton  
Head of Planning Services

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**TITLE :**                    **02/00332/FUL**  
**REPLACEMENT OF 50-52 WEST STREET WITH 3NO.**  
**DWELLINGS; CONVERSION OF 54 WEST STREET AND**  
**ATTACHED OUTBUILDINGS TO 2NO. DWELLINGS;**  
**TOGETHER WITH ERECTION OF 3NO. DWELLINGS TO THE**  
**REAR**  
**50-54 WEST STREET ROCHFORD**

**APPLICANT :**            **THE CROLL GROUP**

**ZONING :**                **SECONDARY SHOPPING FRONTAGE AREA**

**PARISH:**                **ROCHFORD PARISH COUNCIL**

**WARD:**                  **ROCHFORD**

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#### **PLANNING APPLICATION DETAILS**

- 5.1 The application proposes the redevelopment of land at 50-54 West Street. The proposal involves the demolition of the existing buildings known as 50-52 West Street and the erection of a two storey building comprising 3no. 1-bed dwellings, the conversion of 54 West Street, and the associated outshot to the rear to 2no. 2-bed dwellings, together with the erection of a terrace of 3no. 2-bed dwellings on land to the rear.
- 5.2 The application should be read in conjunction with application ref. 02/00468/CON, which seeks conservation area consent for the demolition of the existing buildings. A report relating to that application follows this item.

#### **RELEVANT PLANNING HISTORY**

CA/0397/97/ROC Conservation area consent for the demolition of 50-54 West Street was refused by the Council, and subsequently dismissed on appeal.

F/0376/97/ROC Planning permission was refused for the erection of a 2/3 storey building (2 x ground floor shops, 4 x 1<sup>st</sup> and 2<sup>nd</sup> floor flats, 2 x 2-storey dwellings) & three 2-bed terraced dwellings, the retention of the existing vehicular access, layout and construction of parking and turning areas. The subsequent appeal was dismissed.

#### **CONSULTATIONS AND REPRESENTATIONS**

- 5.3 **Rochford Parish Council** raise no objections subject to materials being in keeping with the conservation area and site splays in regard to highway safety.

- 5.4 **County Planner's Senior Historic Buildings Advisor** advises as follows: "this application follows considerable negotiation and I now consider the proposal satisfactory. The appearance of the conservation area will be much enhanced by the works, and nothing of its character will be harmed. I therefore recommend permission is granted, with the condition that samples of external materials and finishes be approved before work begins."
- 5.5 **English Heritage** states that, as it has previously commented (in respect of the previous applications/appeals), the buildings positively and significantly contribute to the character of the conservation area. It notes that the buildings may not be in pristine condition, but the maintenance of the building should be the subject of a repairs notice. It is not aware that a sustainable case has been made that the existing building is beyond repair. It further comments that the quality of the proposal would not be comparable with the existing building. However, having considered the proposal, English Heritage takes the view that this is a case that can be determined in accordance with the government guidance in PPG15, development plan policies, and with the benefit of conservation advice available locally. It does not wish to make any further representations from a national perspective.
- 5.6 **Essex County Council (Highways)** originally recommended a number of conditions to be imposed on any consent granted. One of these conditions required that the vehicular access be constructed to a minimum width of 4.1m. The access to the site is via an archway which is between 3.7-3.8m wide across its depth, reducing to 3.4m at the street frontage. This issue was taken up with Highways, who further respond as follows:
- 5.7 "As a result of further consultation on the above application it has been pointed out that the actual width of the opening onto West Street is 3.4m wide.
- 5.8 In light of government legislation on town centre developments this Authority will not be objecting to the proposal and my letter of recommendation of 5 June 2002 is still relevant except for Condition 1.
- 5.9 The above decision is supported by PPG13 published by the Department of Transport in March 2001. The objectives as set out in this document are to reduce the need to travel, especially by car, to promote accessibility to jobs, shopping, leisure facilities and service by public transport, walking and cycling. To look at accommodating housing principally within the existing urban areas, planning for increased intensity of development for both housing and other uses at locations accessible by public transport, walking and cycling.

- 5.10 The development in West Street is a town centre location, is on a bus route and within walking distance of the railway station. West Street is one way and the access is wide enough to allow easy access to the site. Turning facilities will be provided within the site and as the dwellings to the rear of the site will be less than 30m from the carriageway there is no need for emergency vehicles, especially fire engines, to access the site. If as requested in our letter of recommendation, the accessway is suitable paved in order to encourage the driver to exit in the middle of the accessway then some pedestrian visibility will be achieved.
- 5.11 I hope the above explains why this Authority is recommending that the above application be granted permission with conditions."
- 5.12 **County Planner (Archaeological Advisor)** notes that the site is in an area of significant archaeological interest within the medieval town of Rochford, and that important evidence of the development of the medieval and post-medieval town is likely to be revealed during groundwork for the demolition and replacement of the building. The buildings proposed for demolition may be of historic interest and deserve further assessment before any development takes place. A condition is recommended to secure a programme of archaeological work.
- 5.13 **Woodlands and Environmental Specialist** - the trees across the site are predominately self sown multi-stem Sycamores with occasional garden ornamentals that have grown unmanaged for some considerable time. None of the trees are worthy of retention. He suggests that a suitable tree re-planting scheme be discussed with developer. There is a mammal earth adjacent to the wall on the eastern boundary that requires further investigation by the developer, although it is almost certainly not a protected mammal. There is access to the roof spaces in all the derelict adjacent buildings. A bat survey must be carried out before any restoration or demolition work begins.
- 5.14 **Rochford Hundred Amenities Society** considers that the site makes a significant and positive contribution to the character of the conservation area, and notes that government advice and local plan policies rule in favour of their retention as if they were listed. The Society notes that, at the recent appeal, there was no case for demolition. No satisfactory evidence has ever been produced that the buildings are structurally unsound or beyond economic repair. Adequate attempts have not been made to retain the buildings by the developer - reference is made to a feasibility study which sought to retain the existing building. The new buildings would not blend into their surroundings, however carefully planning conditions were imposed. The Society also draws attention to the vehicular access to the site, considering this substandard and a potential hazard to pedestrians. The number of parking spaces within the site is considered insufficient. The Society further notes that it is against creating a precedent with backland development.
- 5.15 **Head of Housing, Health and Community Care** recommends the attachment of standard informative SI16 (Control of Nuisances) on any consent granted.

- 5.16 **Head of Building Control Services** notes that the Building regulations require that all first floor windows be escape windows.
- 5.17 Seventeen letters have been received that object to the proposals (both this application and the accompanying application for conservation area consent), broadly on the following grounds:
- The previous appeal relating to the demolition of the buildings was dismissed
  - The replacement building is a 'pastiche'
  - If the building is being replaced by a replica, surely this tells us that the original building is worth saving?
  - Why replace the real thing with a fake?
  - Although on paper the design of the replacement building looks 'in keeping', the use of modern materials and methods would result in it looking out of place amongst genuine period buildings
  - Alternatives to the demolition of the building have not been fully explored
  - Backland development is against the Council's own policies
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- The previous application was refused on road safety grounds, and such conclusions must be drawn in respect of the current proposals
  - The proposal will lead to further tailbacks in West Street
  - The replacement building would not blend in with the conservation area
  - The buildings could be economically renovated
  - Loss of locally listed buildings
  - If the demolition of the building is the only option the current application is unacceptable from a design point of view. A modern building could be designed in scale and character with the surroundings, thereby reflecting the continuing history of the town.

## **MATERIAL PLANNING CONSIDERATIONS**

- 5.18 The key material considerations in this case are considered to be as follows:
- a) whether the design of the replacement buildings is appropriate in street scene and conservation area terms
  - b) whether the demolition of the existing buildings at 50-54 West Street can be justified, having regard to the recent appeal decision, government guidance and local plan policy.
  - c) whether the replacement building preserves the setting of the adjacent listed building, known as The Hollies
  - d) whether the development as a whole complies with Local Plan housing policies and, in particular, whether the proposed backland-sited houses are acceptable
  - e) whether the use of the access would likely give rise to road safety issues, having regard to the recent appeal decision and the formal consultation response of the County Surveyor (Highways)

The Design of the Replacement Buildings

- 5.19 Policies UC1, UC2 and UC3 of the Local Plan are particularly relevant to this issue.
- 5.20 In respect of 50-52 West St, the replacement building that formed the subject of the previous application/appeal was 3 storeys rather than 2 and did not, in the appeal Inspector's view, 'respect the drop in scale which is an important character of this street.' The Inspector also criticised the bulk of the replacement building, which he considered intrusive in the street scene when compared to the restrained design of the present building.
- 5.21 The current application proposes a building that has been designed to reflect the scale and outward appearance of the existing building. The building would be a two storey building of the same height as the existing building, and its roof would be double-pitched, with a box gutter to the front and a catslide roof to the rear. The building would, however, have no shopfronts, being designed for solely for residential use. Sash windows are therefore proposed to the ground and first floors.
- 5.22 Clearly when assessing a proposal for a replacement building within a conservation area, and adjacent to a listed building, only so much information can be gleaned from plans. Whilst it is considered that the scale and form of building now proposed would be appropriate to its setting, further safeguards are required by way to condition to ensure that a building of the correct materials and utilising the correct methods would be built. In particular, it will be necessary to secure the use of appropriate bricks and tiles (new, not reclaimed), to agree the window details, the type of brick bond, method of pointing, etc. These details can all be secured by appropriate conditions.

Demolition of 50-54 West Street

- 5.23 The demolition of 50-52 and part of 54 West St is pertinent to consideration of the application, and is further considered in the accompanying conservation area consent application.
- 5.24 Quite rightfully, PPG15 sets out a number of stringent criteria which any application for demolition of a building in a conservation area should comply with. Ultimately, demolition should be a last resort after all attempts to salvage the existing building have been exhausted.
- 5.25 Surveys have been produced which indicate that Nos.50-52 is effectively beyond economic repair, although these findings were not shared by the previous appeal Inspector.
- 5.26 Evaluation of the level of contribution this building makes to the conservation area is not black and white. The existing building at Nos.50-52 West Street is not outwardly a fine building; its appearance has been damaged by the installation of (by today's standards) ugly and unsympathetic shopfronts. Moreover, the building has been severely damaged by fire. The brickwork at first floor level has also been painted.



5.27 Whilst the demolition of the building would be difficult to justify if an unacceptable proposal for the redevelopment of the site was being tabled, in the current case a sensitively designed proposal has been submitted which seeks to provide a building of similar bulk and design to the existing building, and replicate some of its fine details. This distinguishes the current proposal from the appeal proposals. The current proposals can be further distinguished, given that No.54 is in large part to be renovated.

5.28 Having regard to all of these factors, it is considered that the demolition of the building is justified.

Impact upon the adjacent listed building, The Hollies.

5.29 The Inspector considering the previous appeal concluded that the proposal would have a deleterious effect upon the setting of the adjacent listed building, by reason of its increased bulk over and above that of the existing building. As indicated above, the replacement building now proposed would resemble the existing building in design and scale. Moreover, it is considered that the detailing of the building would be sympathetic to the character of the adjacent building. On this basis it is considered that the replacement building would preserve the setting of the listed building. This conclusion echoes that of the County Planner's Senior Historic Buildings Advisor.

Assessment against Local Plan Housing Policies and Standards

5.30 In terms of the siting of the terrace of 3 houses to the rear of the site, Policy H20 of the Local Plan is relevant. The principal concerns with backland development relate to the overlooking that can occur and to the noise and disturbance arising from the introduction of vehicles into the residential hinterland.

5.31 The previous scheme also proposed a terrace of 3 houses to the rear of the site, and the Inspector's conclusions are pertinent. In particular, the Inspector makes no reference in his decision letter that the actual siting of the building would be inappropriate or out of character. With regard to the issue of overlooking, he noted that the distance to The Hollies was in excess of 35m (the then minimum back to back distance, this distance is 25m in the revised Essex Design Guide which is now used), and was therefore acceptable, and that although the distance to 56 West St was somewhat less, the building was in use as offices, and that any limited overlooking would not be harmful. In terms of privacy then, the present scheme is on a par with the previous scheme, and is considered satisfactory.

5.32 With regard to the issue of noise and disturbance, it is noted that the driveway serving the terraced units runs through the middle of the site, rather than adjacent to the site boundaries. Given this, together with the limited number of car parking spaces proposed to the rear of the site, it is not considered that unacceptable levels of noise and disturbance would result. It is further noted that no adverse comment relating to this issue was made by the previous appeal Inspector.

- 5.33 It is also noted that Clements Mews, a residential development of three dwellings to the west, is also sited in a backland location, accessed through an archway onto West Street.
- 5.34 With regard to the matter of amenity space, the three terraced dwellings would have gardens in excess of 50sq.m. The Council's standard requires in such cases that 'private gardens shall be a minimum depth of 2 1/2 times the width of the house to a minimum private garden area of 50sq.m. In reality it is difficult to comply with both criteria when houses broader than the traditional 'two-up two-down' terraced house are proposed. The gardens proposed are considered reasonable and relaxation on such standards in Town Centres has been accepted previously.
- 5.35 With regard to the properties fronting West Street itself, it is noted that no true private amenity space is proposed. Such a situation was proposed in respect of the appeal proposal. The Inspector felt that those who wish to live in town centres may have lower expectations of outdoor space than those living in residential and concluded that the lack of provision would not be harmful to the occupiers of these buildings. This conclusion is considered logical and reasonable.
- 5.36 In terms of parking, the application proposes a total of eight spaces to serve the eight properties, which comprise three x 1-bed properties and five x 2-bed properties. Given the town centre location of the site, the Council's normal standard seeks to ensure the provision of a minimum of one space per unit. The provision is, therefore, considered satisfactory.

#### Highway Issues

- 5.37 Although highway concerns formed one of the reasons for refusal of the previous application and, indeed, dismissal of the subsequent appeal, the County Council (Highways) have reconsidered their position in respect of the current application. Their views, founded in part upon the advice in a recently published update of PPG13, are that the relaxation of normal standards is reasonable in this case given the town centre location of the site, the access being wide enough to allow easy access to the site, the availability of turning facilities within the site, accessibility to public transport and the fact that West Street is a one-way street.

#### **CONCLUSION**

- 5.38 The application proposes the demolition of the existing building at 50-52 West Street, and its replacement with a high quality building which emulates the scale and design of the existing building. Indeed, given the much altered and dilapidated appearance of the existing building, it is considered that the replacement building would contribute more positively to the streetscape than the existing building.
- 5.39 The application also proposes to renovate No.54 West Street, with the exception of the first floor link to No.52, which is to be demolished and rebuilt. Again, this work is considered acceptable.

- 5.40 The application also proposes the erection of a terrace of 3 dwellings to the rear.
- 5.41 The net result of the proposal is that 8no. one and two bed dwellings will be provided in the town centre, in accordance with the general policy aims of PPG3 (Housing) and PPG6 (Town Centres). It is considered that the proposals comply with the design, spatial and car parking requirements set out in the Local Plan. Approval is therefore recommended.

### **RECOMMENDATION**

- 5.42 It is proposed that this Committee **RESOLVES** that this application is **APPROVED** subject to the completion of a Legal Agreement that secures the timing, renovation, repair and completion of the proposed works to 54 West Street and of the remaining frontage development to West Street and the following conditions:-
- 1 SC4 Time Limits - Full
  - 2 SC9 Removal of Building
  - 3 SC14 Materials to be Used
  - 4 In respect of the replacement/renovated buildings to front 50-54 West Street, in addition to the requirements of Condition 3, above, the following details/samples shall be submitted to the local planning authority prior to the commencement of the work:
    - a) full details of all external facing and roofing materials, including all materials used for the fine detailing of the front elevation;
    - b) full details of all timberwork to be provided to the front elevation, including windows, porch canopy details and the new timber feature/framing to the accessway
    - c) details of the bond to be used in the brickwork
    - d) details of the method of pointing to be employed
  - 5 SC62 PD Restricted Gates
  - 6 SC50 Means of Enclosure
  - 7 SC52 Retain Enclosure Screen
  - 8 SC59 Landscaping (Full)
  - 9 SC60A Tree & Shrub Protection
  - 10 SC22A PD Restricted - Windows
  - 11 SC23 PD Restricted - Obscure Glazing
  - 12 Prior to the commencement of the development hereby approved, details illustrating the repositioning of the refuse store shall be submitted to and approved in writing by the local planning authority. Construction of the refuse store shall thereafter be carried out in strict accordance with the approved details.
  - 13 SC74 Driveways - Surface Finish
  - 14 SC76 Parking & Turning Space
  - 15 Prior to the commencement of the development hereby approved, details of the surfacing of the access driveway shall be submitted to and approved in writing by the local planning authority. Such details shall illustrate the access suitably paved so as to encourage vehicles exiting the site to use the central 2.4m of the access.

- 16 SC90 Surface water Drainage
- 17 SC91 Foul water Drainage
- 18 SC97 Archaeological - Site access
- 19 A survey of the buildings shall be carried out to ascertain the presence of bats and, if bats are found to be present, a mitigation strategy setting out a methodology to allow for the safe removal and release of the bats. The survey/mitigation strategy shall be submitted and approved by the local planning authority prior to the commencement of the development, and the development shall not commence until its requirements have been met in full.

**Proposed Development Plan Policies and Proposals:**

H11, H20, UC3, UC5, UC8 of the Rochford District Local Plan First Review.



Shaun Scrutton  
Head of Planning Services

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For further information please contact Peter Whitehead on (01702) 546366.



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NTS



**TITLE :**                    **02/00468/CON**  
**APPLICATION FOR CONSERVATION AREA CONSENT FOR**  
**THE COMPLETE DEMOLITION OF 50 AND 52 WEST**  
**STREET TOGETHER WITH THE PARTIAL DEMOLITION OF**  
**54 WEST STREET (SPECIFICALLY THE FIRST FLOOR LINK**  
**ADJOINING NO.52)**  
**50 - 54 WEST STREET ROCHFORD**

**APPLICANT :**            **THE CROLL GROUP**

**ZONING :**                **SECONDARY SHOPPING FRONTAGE AREA**

**PARISH:**                **ROCHFORD PARISH COUNCIL**

**WARD:**                  **ROCHFORD**

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#### **PLANNING APPLICATION DETAILS**

- 6.1 The application seeks conservation area consent for the demolition of Nos.50 and 52 West Street, together with the first floor element of No.54, situated above the cartway, other than this first floor element the vast remainder of no. 54 including its two storey rear wing is to be retained and renovated as part of the redevelopment of the site.
- 6.2 The application should be read in conjunction with the previous item relating to application ref. 02/00332/FUL, which seeks to redevelop the site.

#### **RELEVANT PLANNING HISTORY**

CA/0397/97/ROC Conservation area consent for the demolition of 50-54 West Street was refused by the Council, and subsequently dismissed on appeal.

F/0376/97/ROC Planning permission was refused for the erection of a 2/3 storey building (2 x ground floor shops, 4 x 1<sup>st</sup> and 2<sup>nd</sup> floor flats, 2 x 2-storey dwellings) & three 2-bed terraced dwellings, the retention of the existing vehicular access, layout and construction of parking and turning areas. The subsequent appeal was dismissed.

## CONSULTATIONS AND REPRESENTATIONS

- 6.3 **English Heritage** states that, as it has previously commented (in respect of the previous applications/appeals), the buildings positively and significantly contribute to the character of the conservation area. It notes that the buildings may not be in pristine condition, but the maintenance of the building should be the subject of a repairs notice. It is not aware that a sustainable case has been made that the existing building is beyond repair. It further comments that the quality of the proposal would not be comparable with the existing building. However, having considered the proposal, English Heritage takes the view that this is a case that can be determined in accordance with the government guidance in PPG15, development plan policies and with the benefit of conservation advice available locally. It does not wish to make any further representations from a national perspective.
- 6.4 **Essex County Council's Senior Historic Buildings Advisor** writes as follows: "I have no objections to the proposed demolitions in order to carry out the redevelopment of the site. However, Conservation Area Consent should not be granted until permission has been granted for the new works."
- 6.5 **Essex County Council's Archaeological Advisor** considers that the site is in an area of significant archaeological interest within the medieval town of Rochford, and that important evidence of the development of the medieval and post-medieval town is likely to be revealed during groundwork for the demolition and replacement of the building. The buildings proposed for demolition may be of historic interest and deserve further assessment before any development takes place. A condition is recommended to secure a programme of archaeological work.
- 6.6 **Woodlands and Environmental Specialist** - there is access to the roof spaces in all the derelict adjacent buildings. A bat survey must be carried out before any restoration or demolition work begins.
- 6.7 **The Head of Housing, Health and Community Care** recommends the imposition of condition SC85 Method Statement, together with informative SI16 Control of Nuisances.
- 6.8 Seventeen letters have been received that object to the proposals (both this application and the accompanying application for planning permission), broadly on the following grounds:
- The previous appeal relating to the demolition of the buildings was dismissed
  - The replacement building is a 'pastiche'
  - If the building is being replaced by a replica, surely this tells us that the original building is worth saving?
  - Why replace the real thing with a fake?
  - Although on paper the design of the replacement building looks 'in keeping', the use of modern materials and methods would result in it looking out of place amongst genuine period buildings

- Alternatives to the demolition of the building have not been fully explored
- Backland development is against the Council's own policies
- The previous application was refused on road safety grounds, and such conclusions must be drawn in respect of the current proposals
- The proposal will lead to further tailbacks in West Street
- The replacement building would not blend in with the conservation area
- The buildings could be economically renovated
- Loss of locally listed buildings
- If the demolition of the building is the only option the current application is unacceptable from a design point of view. A modern building could be designed in scale and character with the surroundings, thereby reflecting the continuing history of the town.

## **MATERIAL PLANNING CONSIDERATIONS**

- 6.9 Government guidance regarding the demolition of non-listed buildings in conservation areas is found in PPG15. The guidance requires that account should be taken not just of a building's individual character, but the contribution it makes to the character of the conservation area as a whole. The guidance notes that special attention should be paid to the desirability of preserving or enhancing the character of the area, and that there should be a presumption in favour of retaining buildings that make a positive contribution to the character and appearance of the conservation area. Applications for the demolition of buildings should be assessed against the same broad criteria as proposals to demolish listed buildings, and consent should not normally be granted unless detailed plans for the redevelopment of the site have been assessed and found acceptable. In this regard, it has been held that local authorities are entitled to consider the merits of any proposed redevelopment in determining whether consent should be given for the demolition.
- 6.10 In the Local Plan, Policies UC5 and UC8 (which identifies the buildings on the local list of Historic Buildings) are relevant. The views of the previous appeal Inspector are also material.
- 6.11 The extent to which nos. 50-52 West Street currently contribute to the character and attractiveness of the street scene and conservation area is a matter of judgement. The existing building has been significantly altered by the addition of shopfronts, which do not reflect the age and character of the original building. Moreover, the buildings have been severely fire damaged and the attractive twin-pitched roof that was formerly visible in the street scene has been lost. They have been vacant for many years, dilapidated and deteriorating with some windows/doors boarded up and the roof partly "sheeted". The eastern elevation of the building is rendered. The most attractive part of the building is considered to be the first floor front elevation, which retains the original stone scrolls to the parapet. However, even this has been painted, and may not be able to be restored without damaging the brickwork.



- 6.12 Any restoration project would clearly involve significant new construction work - part of the flank elevation, the roof, and the ground floor of the front elevation, if indeed, remodelling of the ground floor was proposed. The local authority could not object to the retention of the existing shopfronts, or derivatives thereof, although they do not enhance the building or its contribution to the wider area.
- 6.13 In assessing whether the existing building could/should be retained, the question must be raised as to what part of the original building would be likely to remain after renovation. Putting aside the issue of whether the building is physically capable of renovation, it is considered that this would be restricted to the first floor front elevation, and the rendered side elevation facing The Hollies, which would likely require re-rendering. In terms of the interior of the building, given the fire damage and alterations over the years, little of the original fabric remains. In any event, given that the building is not listed, or considered worthy of listing, the interior of the building could not be protected.
- 6.14 With regard to the structural condition of the building, two surveys were carried out at the time of the previous application, which concluded that Nos.50-52 were effectively structurally and economically beyond salvation, viz:

The Applicant's Structural Survey (by a firm of Chartered Surveyors)

- 6.15 *The fire has affected the majority of the total roof construction which, in our opinion, requires complete rebuilding.*
- 6.16 *The front wall to the property is also structurally unsound, where this is significantly bowed in the centre and leaning out at the top, where there are insufficient ties to this and the flank timber framed structures. We consider this structurally unsafe and, in order to restore this stability, this will need taking down and rebuilding.*
- 6.17 *To bring this building up to current standards would require more or less wholesale demolition and reconstruction, as there is little to salvage in the existing structure. If the various areas were repaired and made good, this would still necessitate the use of modern materials and various areas would need to be re-pointed, re-rendered, re-roofed, etc., which would immediately remove the aged, historic appearance which the Planning Authority would wish to preserve.*

The County Planner's Structural Survey (by a firm of Consulting Civil and Structural Engineers, Historic Building Specialists).

- 6.18 *The condition of these buildings is such that significant works would be necessary to refurbish the building. This would include extensive replacement of a large portion of the structure.*
- 6.19 *In our opinion, little survives which is of historic or architectural merit, perhaps with the exception of the first floor front elevation which contributes to the street scene.*

- 6.20 *The economic viability of refurbishment is totally unrealistic in the current climate which is unlikely to improve in this area in terms of retail or office use.*
- 6.21 *Redevelopment of the plot appears to be the only economically realistic option for these buildings.*
- 6.22 However, these views were not shared by the appeal Inspector, who felt that the evidence that the buildings were structurally unsound was not compelling, that the repair of historic buildings was unavoidable and that with reasonable efforts the buildings could have been renovated and put back into use after the fire damage. Indeed, it should also be noted that no real attempt has been made by the building's owner since the previous appeal to further explore the possible retention of the building or to offer the building on the open market.
- 6.23 In mitigation, the applicant has stated that he remains of the view that the building is, in fact, beyond repair, and this explains why he has chosen not to pursue a scheme of renovation following the previous appeal decision. Certain advances have been made to him to purchase the building/site (for undisclosed purposes), but these were not considered acceptable for financial or other reasons.
- 6.24 In the meantime, some three years on from the previous appeal decision, the buildings continue to be vacant, in a state of disrepair and partly boarded up.
- 6.25 Policy UC5 requires that permission has been granted for the redevelopment of a site before conservation area consent for the demolition of the existing building can be granted.
- 6.26 The previous appeal application proposed the replacement of 50-52 West Street with a 3 storey building which the Inspector considered paid little respect to the character and design of the existing building. Moreover, the application proposed the demolition and replacement of 54 West Street in its entirety.
- 6.27 The current application proposes the replacement of Nos.50-52 with a building that has been designed to echo the bulk, mass and design details of the original building. In particular, the first floor front elevation would be recreated, including the parapet detail and stone scrolls. The side elevation would be rendered and would effectively be a facsimile of the existing side wall, which would likely need re-rendering if renovation of the existing property was a viable proposition. The ground floor front elevation of 50-52 has been carefully designed to reflect evidence from historical records. The current application also proposes the retention and conversion of the bulk of No.54 (with the exception of the timber-framed element above the archway) including the extensive two storey rear wing element. The scheme now being considered is significantly different from the previous scheme considered on appeal.

- 6.28 In terms of design, the scheme for 50-52 reflects the scale and appearance of the existing building and it is considered that the proportions of the elevation and fenestration, together with the use of high quality bricks and finishes will ensure that the building makes a positive contribution to the enhancement of the character and appearance of the conservation area. This is in stark contrast to the existing building which even when utilised as a shop made little positive contribution to the appearance of the conservation area. More recently of course the dilapidated and deteriorating condition of the building has been a decidedly negative feature in West Street.
- 6.29 The merits of the scheme are material in determining whether consent should be given for demolition and it is considered that the high quality of the proposed scheme does support an approval.
- 6.30 It is also important to note that the County Planner's Senior Historic Building's Advisor, having had regard to the full implications of PPG15, supports approval of the current scheme. The County Planner's advisor objected to the previous scheme.
- 6.31 Finally, attention is drawn to the guidance of PPG3 (Housing) and PPG6 (Town Centres). Whilst possibly not the most forceful argument in this case, this guidance makes clear that development should be directed to areas of high accessibility and that efficient use should be made of land with a positive contribution to the vitality and viability of the Town Centres. The proposal would clearly be in line with these broad aims.

### **CONCLUSION**

- 6.32 It is clear from the above discussion that consideration of this application turns upon a number of issues which individually and cumulatively need to be carefully assessed.
- 6.33 Quite rightfully, PPG15 sets out a number of stringent criteria which any application for demolition of a building in a conservation area should comply with. Ultimately, demolition should be a last resort after all attempts to salvage the existing building have been exhausted.
- 6.34 Surveys have been produced which indicate that Nos.50-52 is effectively beyond economic repair, although these findings were not shared by the previous appeal Inspector.
- 6.35 Evaluation of the level of contribution this building makes to the conservation area is not black and white. The existing building at Nos.50-52 West Street is not outwardly a fine building; its appearance has been damaged by the installation of (by today's standards) ugly and unsympathetic shopfronts. Moreover, the building has been severely damaged by fire.

- 6.36 A sensitively designed proposal has been submitted which seeks to provide a building of similar scale and design to the existing building, and with the replication of some of its key design features. This distinguishes the current proposal from the appeal proposals. The current proposals can be further distinguished, given that No.54 is in large part to be renovated.
- 6.37 A condition is recommended, below, to ensure that a contract is entered into to secure the redevelopment of the site upon demolition of the existing building, and so avoid an uncharacteristic break in the streetscape or the site lying vacant for a prolonged period.
- 6.38 Having regard to all of these factors, it is considered that the demolition of the building is justified.

**RECOMMENDATION**

- 6.39 It is proposed that this Committee **RESOLVES** that this application is **APPROVED** subject to the completion of a Legal Agreement that secures the timing, renovation, repair and completion of the proposed works to 54 West Street and of the remaining frontage development to West Street and the following conditions:-
- 1 SC4 Time Limits Full - Std
  - 2 SC85 Method Statement
  - 3 SC95 Demolition - Redevelopment
  - 4 SC97 Archaeological - Site Access
  - 5 A survey of the buildings shall be carried out to ascertain the presence of bats and, if bats are found to be present, a mitigation strategy setting out a methodology to allow for the safe removal and release of the bats. The survey/mitigation strategy shall be submitted and approved by the local planning authority prior to the commencement of the demolition, and demolition shall not take place until its requirements have been met in full.

**Relevant Development Plan Policies and Proposals:**

H11, H20, UC3, UC5, UC8 of the Rochford District Local Plan First Review.



Shaun Scrutton  
Head of Planning Services

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For further information please contact Peter Whitehead on (01702) 546366.



## **PLANNING SERVICES COMMITTEE - 25 July 2002      Item 7**

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TITLE :                    **02/00304/FUL  
VEHICLE DISMANTLING AND RECYCLING WORKS  
COMPRISING OPEN STORAGE AREAS, COVERED  
VEHICLE PARKING, OFFICE AND WORKSHOP ACCESS  
ROADS AND PARKING.  
LAND NORTH OF PURDEYS INDUSTRIAL ESTATE,  
BRICKFIELD WAY, ROCHFORD.**

APPLICANT :            **NEVENDON SOUTH EAST CARS**

ZONING :                **INDUSTRIAL/OPEN STORAGE**

PARISH:                **ROCHFORD PARISH COUNCIL**

WARD:                  **ROCHFORD**

### **PLANNING APPLICATION DETAILS**

- 7.1 This application was reported for Members attention at the May Committee following the fastrack procedure. The application form identifies 25 jobs created in addition to the relocation of a further 10 – 15 positions from alternative sites within the district.
- 7.2 The application has been subject to full consultation and consideration with one outstanding response awaited (see below) and is returned to Members for determination.

### **RELEVANT PLANNING HISTORY**

- 7.3 Previous application number 01/00763/FUL was retrospective for the erection of a palisade fence to the perimeter of the site, this application was requested following an enforcement complaint with respect to the location of a new fence.
- 7.4 Subsequently the application has been refused due to obstruction of a designated public bridleway; this matter is now subject of enforcement discussion in co-operation with Essex County Council Highways.

### **CONSULTATIONS AND REPRESENTATIONS**

- 7.5 **Housing Health & Community Care** have no adverse comments subject to conditions being attached to any consent granted given the site is located within 250 metres of a previous land fill site.
- 7.6 **Buildings & Technical Support (Engineering)** no observations or objections raised.
- 7.7 **Rochford Parish Council** No objection raised.

- 7.8 **Essex County Council (Highways)** recommend conditions to be applied to any permission that the Planning Authority may grant.
- 7.9 **Rochford Hundred Amenities Society** No comment made.
- 7.10 **Essex Police** have no objection to development though recommend that the issue of secured by design be viewed and conditioned to any approval.
- 7.11 **Anglian Water** have no objections to the proposal subject to conditions being attached to any consent given.
- 7.12 **Environment Agency** advise that the application needs to be reviewed with respect to Surface Water Drainage and storage capacity, on this matter a series of conditions are recommended should any permission be granted. In addition the Environment Agency confirm that the applicant has begun talks regarding the Waste Management Licence (WML), and can confirm that on this basis appropriate control can be exercised by the EA for pollution control measures.
- 7.13 Neighbour Objections have been received from two local business raising concern regarding the potential for the development to cause environmental harm to the ground, water resources and surrounding environment. One neighbouring business also questions the requirement for a 3m wide planting/buffer strip to be provided to the side boundary of the development. Additionally it is questioned of the existence or need for an additional scrap yard in the vicinity which has likely implications for the operation of the adjoining unit.
- 7.14 **Civil Aviation Authority** consultation is outstanding, the initial response is reproduced below, please see paragraph under material considerations for details.

**CAA** advise that further research is required to establish the implications for this development and request additional time to collect and collate responses. Commenting that if any action is taken to proceed before the completion of assessments it should be clearly understood that such action is taken against the advice of the national aviation safety regulator.

#### **MATERIAL PLANNING CONSIDERATIONS**

- 7.15 The following points are reproduced in part from the May Committee.
- 7.16 The proposed development is within a location recognised and designated for industrial use, being zoned for open storage. The site is bordered by an existing scrapyards to the South (Kirbys); land to the East is utilised for a variety of industrial/storage uses including a Waste Transfer Station and coach/transport depot. The area to the West of the site is undeveloped and lies outside the approved industrial designated area.

**7.17      SCREENING OPINION**

Following the nature of the proposed development, the application has been assessed against Environmental Impact Assessment Regulations (EIA) 1999. It is found that the application is of schedule 2 designation given the proposed use/size of development and proximity to controlled water (River Roach).

- 7.18      Schedule 3 of the above act identifies limitations and degrees of impact of development for consideration. Following schedule 3, it is considered as previously reported to Members in May that no EIA is required, by virtue of the intensity, location of and the surrounding land use being in keeping and appropriate for the land designation.

**7.19      LAND USE**

As identified above, the proposed use is appropriate in policy terms for the location identified. The impact in comparison to the adjoining development will be acceptable. The concern raised to any resultant relationship with the boundary to the Roach (North of site) re: pollution will be a matter for control under the WML by the Environment Agency.

**7.20      DEVELOPMENT DETAILS**

The proposed use contains a large proportion of open storage area, to be drained and intercepted in accordance with Environment Agency requirements, this will be used for open storage of vehicles awaiting sale, stripping and insurance clearance. Provision is also made for loading bay/turning area and scrap storage area all constructed with oil interceptors.

- 7.21      Proposed buildings include a large unit/workshop and combined office/reception building for visitors to the site. The workshop will be utilised for removal of parts and fluid extraction; this is the key element in the site when comparisons are drawn with existing scrap yards. All fluids are to be extracted from the vehicles prior to awaiting further parts removal or crushing. (All fluids includes petrol/oil/contaminated water/acid/brake fluids etc..) This is conducted in a controlled environment then disposed of following adopted methods under the waste management licence. Therefore vehicles leaving this area have been decontaminated of fluids.

- 7.22      Two further units are proposed, one for covered vehicle storage adjacent to the office/workshop area. A second to the North of the site for delivery/collection lorries that deal with vehicles to and from the development and waste products being exported from the site.

- 7.23      The proposed buildings are appropriate to the location, with resultant development being similar to that of the adjoining industrial location, the materials and finished construction will provide a professional appearance for the scrapyard.



**7.24 CIVIL AVIATION AUTHORITY**

The CAA have provided an initial holding response as outlined above. Discussions have established that further research is required at a local level, subsequently Southend Airport is handling the matter.

**7.25**

Further correspondence is underway with Southend Airport and the CAA at the time of report writing, any further information received will be available to Members within the addendum.

**CONCLUSION**

**7.26** No significant objection is raised to the development, which has no detrimental impact on the amenity of the location. The scrap yard facility provision is typical of the location, with this proposal having the benefit of utilising modern recycling methods that have long term benefits for the environment, whilst the site will meet future controls over fluid decontamination..

**7.27** The outstanding response from the CAA will enable a decision to be made.

**RECOMMENDATION**

**7.28** It is proposed that this Committee **RESOLVES** that permission is delegated to Head of Planning Services to determine the application subject to satisfactory receipt of CAA consultation responses and any revision to the scheme thereby required, with the inclusion of the following heads of condition.

- 1 SC4 Time Limits Full – standard
- 2 SC14 Materials to be Used
- 3 SC59 Landscape Design – Details Full
- 4 SC90 Surface Water Drainage
- 5 SC91 Foul Water Drainage
- 6 SC94 Provision of Booth Area
- 7 The development of the site shall incorporate methane mitigation measures in accordance with a scheme previously agreed in writing with the L.P.A. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.
- 8 Prior to installation, details of all fume extraction and ventilation equipment shall be installed as permitted and maintained in the approved form while the premises are in use for the permitted purpose.
- 9 Prior to the commencement of any development, details of any external equipment of openings in the external walls or roofs of the building proposed at any time in connection with the permitted use, shall be submitted to and approved in writing by the Local Planning Authority before the machinery is installed or the opening formed as approved and shall be maintained in the approved form while the premises are in use for the permitted purpose.

- 10    There shall be no burning of waste materials on any part of the site containing the development hereby permitted.
- 11    Details are to be submitted to and approved by the Local Planning Authority for surface water run-off from impermeable vehicle parking areas and hardstandings susceptible to oil contamination which shall be passed through an approved petrol/oil bypass interception facility before being discharged to any surface water sewer.
- 12    Space shall be provided within the site to accommodate the parking and turning of all vehicles regularly visiting the site, clear of the highway and properly laid out and paved as may be agreed with the Local Planning Authority and such space shall be maintained thereafter free of any such impediment to its designated use.
- 13    All fencing, gates or barriers to be sited clear of the highway.

**Relevant Development Plan Policies and Proposals:**

EB2, EB4, EB5, Rochford District Local Plan First Review.

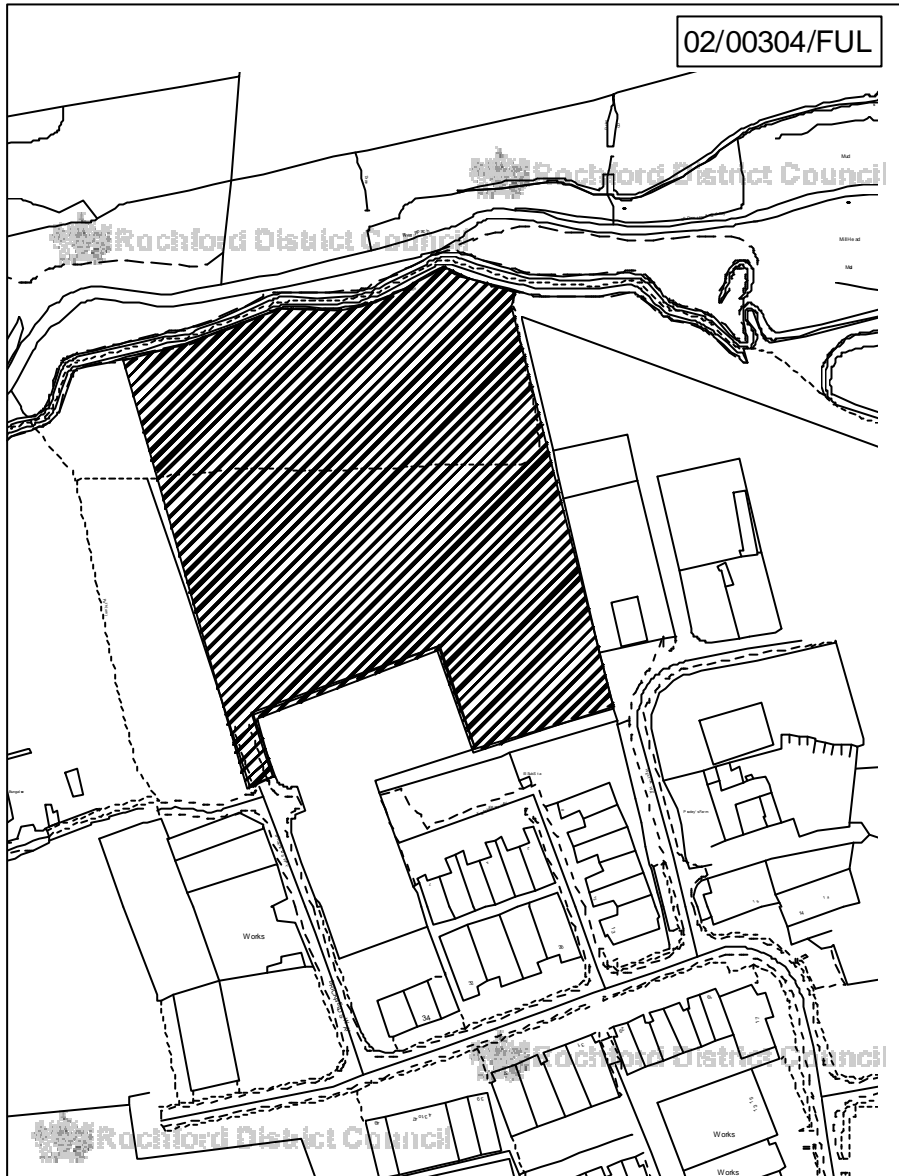


Shaun Scrutton  
Head of Planning Services

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02/00304/FUL



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