



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING SERVICES COMMITTEE 23rd January 2003**

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

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

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

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

PLANNING SERVICES COMMITTEE 23rd January 2003

SCHEDULE ITEMS

- | | | |
|---|--|-----------------------------|
| 1 | 02/01114/FUL
Reprovision Of Mental Health Services Comprising
Erection Of Single, To And Three Storey Buildings,
Extension/ Conversion Of Existing Building, Together
With Car Parking And Associated Facilities.
Rochford Hospital Union Lane Rochford | Mr Kevin Steptoe
PAGE 5 |
| 2 | 02/00455/REM
Erect Six 3-Bed Semi-Detached Dwellings, Layout
Access and Parking Areas. (Reserved Matters
Following Outline Permission OL/490/98)
Westview Church Road Hockley | Mr Kevin Steptoe
PAGE 10 |
| 3 | 02/00453/REM
Application for Approval of Reserved Matters for the
Erection of Five Residential Units together with
Access Road
Westview Church Road Hockley | PAGE 21 |
| 4 | 02/01035/OUT
Outline Application for Residential Development
Westview Church Road Hockley Town | Mr Kevin Steptoe
PAGE 34 |
| 5 | 02/00758/FUL
Extensions to Existing Leisure Centre to provide New
Entrance Area, Bar, Operational Rooms and Sun
Canopies as Part of Refurbishment Throughout
Redesign Car Park and Access Layout. Layout
External Seating Area.
Clements Hall Leisure Centre Clements Hall Way
Hawkwell | Mr Kevin Steptoe
PAGE 44 |
| 6 | 02/00976/FUL
Erect Two Storey Block of 27 2-Bed and Two 1-Bed
Sheltered Housing Units, with Communal Facilities,
Layout Parking (Revised Layout Following
Permission 01/00791/FUL)
Land Rear Of 23A Southend Road Hockley | Mr Kevin Steptoe
PAGE 51 |

- | | | | |
|---|---|--------------------|---------|
| 7 | 01/00650/OUT | Mr Kevin Steptoe | PAGE 57 |
| | Outline Application To Erect Block12 Flats, Layout
Access And Provide Car Port Parking (Demolish
Existing Dwelling)
30 Crown Hill Rayleigh Essex | | |
| 8 | 02/00798/FUL | Mr Peter Whitehead | PAGE 66 |
| | Erect Two Storey Building Comprising 8No. Flats
(Demolish Existing Dwelling)
72 The Approach Rayleigh Essex | | |

PLANNING SERVICES COMMITTEE - 23rd January 2003

GRANGE

Cllr C J Lumley

Cllr Mrs R J Lumley

HAWKWELL WEST

Cllr J R F Mason

Cllr Mrs M A Weir

HOCKLEY WEST

Cllr Mrs L Hungate

HOCKLEY CENTRAL

Cllr Mrs E Marlow

Cllr Mrs D McCarthy

Cllr J Thomass

ROCHFORD

Cllr R A Amner

Cllr Mrs L Barber

Cllr Mrs M S Vince

WHEATLEY

Cllr J M Pullen

Cllr Mrs M J Webster

TITLE : 02/01114/FUL
REPROVISION OF MENTAL HEALTH SERVICES
COMPRISING ERECTION OF SINGLE AND TWO STOREY
BUILDINGS, EXTENSION/CONVERSION OF EXISTING
BUILDINGS, TOGETHER WITH CAR PARKING AND
ASSOCIATED FACILITIES
ROCHFORD HOSPITAL ASHINGDON ROAD/UNION LANE
ROCHFORD

APPLICANT : SOUTH ESSEX PARTNERHIP NHS TRUST

ZONING : HOSPITAL

PARISH: ROCHFORD

WARD: ROCHFORD

PLANNING APPLICATION DETAILS

- 1.1 The application was registered on 18th December 2002. It is being reported to this Committee meeting under the fast-track procedure whereby any proposal that is anticipated to result in the generation of 10+ jobs is so reported to allow the early consideration of the issues to be examined.
- 1.2 The application proposes the redevelopment of a large proportion of the Rochford Hospital site.
- 1.3 **The services to be provided in the redeveloped Rochford Hospital will comprise:**
- **An Assessment Suite (6 beds)**
 - **Adult inpatients with acute mental health needs (81 beds)**
 - **Adult inpatients with rehabilitation needs (15 beds)**
 - **Older people inpatients with organic mental health needs (24 beds)**
 - **Older people inpatients with functional mental health assessment needs (24 beds)**
 - **A range of administrative, kitchen and supply facilities, pharmacy, etc.**
- 1.4 The application should be read in conjunction with application ref. 02/0115/CON, proposing the demolition of an existing U-shaped complex of two storey buildings called the Administration Block and part of Gowing House, both situated to the North of West Street and within the Rochford Conservation Area. Consent to demolish several other hospital buildings within the conservation area has also been granted in the past year.

- 1.5 The redevelopment also involves the demolition of the Henry Hayes Centre, Southchurch Ward, Rayleigh Ward, together with associated boiler rooms, etc., which lie outwith the conservation area, and for which consent to demolish is not required.
- 1.6 The replacement buildings comprise a substantial crescent-shaped building to be situated to the North-West of the site, between Ashingdon Road, Heritage Way and St Lukes Place, Dalys Road. The building is largely two storey. The building will link with the existing Ashingdon Ward and Wallasea Centre. To the centre of this crescent, a circular area of car parking is proposed.
- 1.7 A single storey building is proposed towards the centre the site, on land that is currently open.
- 1.8 A car park accommodating 126 spaces is proposed to the South-East of the site, on land freed up by the demolition of the Administration Block.
- 1.9 The proposals also involve the extension of the Rochford Clinic building, together with other more minor extensions and alterations to existing buildings, and areas of new car parking.
- 1.10 A further application has been made for listed building consent (ref. 02/01116/LBC) for the conversion of the existing chapel to a staff dining room, and for the provision of a link to the neighbouring Rochford building.
- 1.11 The application is accompanied by a Planning Statement that sets out what the proposals seek to achieve.
- 1.12 The Statement notes that during the 1990s, the hospital's acute services, with the exception of acute mental health inpatient services, were transferred to Southend Hospital. Part of the site was sold and developed with housing. The poor state of remaining buildings resulted in the temporary relocation of the acute mental health inpatient services to Runwell Hospital.
- 1.13 The existing Runwell Hospital is planned to close as part of the modernisation of mental health services. In the future, the majority of mental health services will be provided by specialist nurses and therapists working in the community. Fewer patients will require admission to hospital.
- 1.14 In the past, the mental health services provided at Rochford included a range of day services, outpatient departments and other therapeutic activities. These currently include a drug and alcohol service.
- 1.15 The current proposals involve the relocation of the day hospital services, outpatient services and drug/alcohol services from Rochford to dedicated services in Southend. Rochford Hospital will then be used exclusively for inpatient care. As a consequence, the numbers of people visiting the site will reduce to staff, patients requiring an admission and visitors.

1.16 Secure mental health facilities for patients requiring medium and low secure care will be redeveloped and will remain permanently at the Runwell site.

1.17 The scheme would result in £15M of investment in the centre of Rochford.

CONSULTATIONS AND REPRESENTATIONS

1.18 Given the recent date of receipt of the application, no consultation responses have been received.

1.19 However, it should be noted that a significant number of bodies have been consulted on this application and, indeed, a significant number of properties abutting and close to the site have also been notified.

MATERIAL PLANNING CONSIDERATIONS

1.20 This is a fast-track application and the purpose is to enable Members to raise the issues that they consider should be explored further in the consideration of the proposals.

1.21 At this early stage, it would appear that these should include:

- The design of the new buildings. Clearly, a high standard of design should be expected in respect of the scheme as a whole, however, particularly close attention should be paid to the redevelopment of the portion of the site lying within the conservation area
- The impact of the proposals upon residential properties abutting the site, in terms of overlooking, the physical impact of the scale of the buildings, potential noise from car parking, etc.
- Consideration of the uses proposed, having regard to the Local Plan allocation of the site, the uses of the site (both existing and historical) and the uses to which the existing buildings could be put without the requirement of further planning permission
- Traffic implications arising from the proposed car parks, the largest of which is proposed to be accessed off Union Lane
- Issues relating to crime reduction
- Drainage and other infrastructure implications

CONCLUSION

1.22 The application proposes the major redevelopment of the Rochford Hospital site.

1.23 The application is brought before Committee as part of the fast-track procedure to brief Members upon the proposals and invite comment regarding key considerations that could impinge upon them.

- 1.24 Following a full consideration of all issues arising, the application will be brought back to Committee for determination by Members in the normal way.

Relevant Development Plan Policies and Proposals:

Rochford District Local Plan First Review UC1, UC2 and UC3

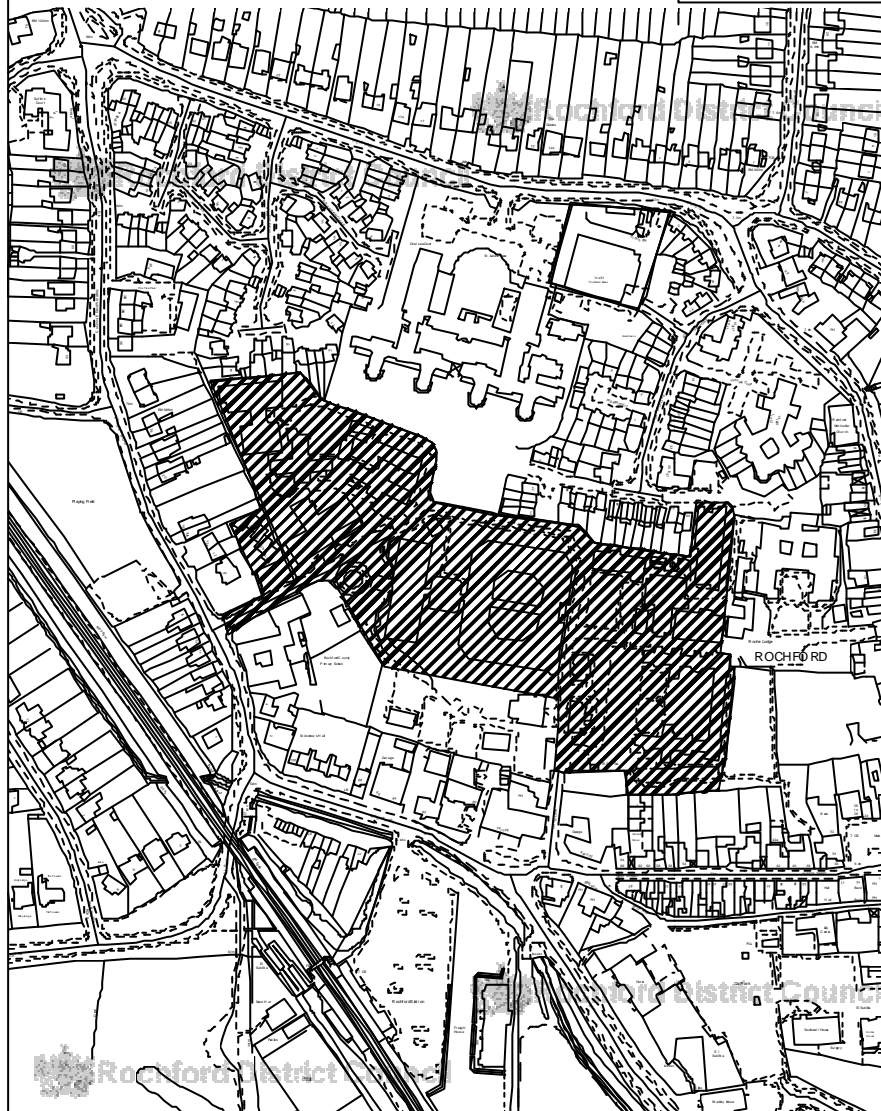
Essex and Southend-on-sea Replacement Structure Plan HC2.



Shaun Scrutton
Head of Planning Services

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

02/01114/FUL



This copy has been produced specifically for Planning and Building Control purposes only.

Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

This copy is believed to be correct. Nevertheless, Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.

NTS



TITLE : **02/00455/REM**
ERECT SIX 3-BED SEMI-DETACHED DWELLINGS, LAYOUT
ACCESS AND PARKING AREAS (RESERVED MATTERS
FOLLOWING OUTLINE PERMISSION OL/490/98)
WESTVIEW, CHURCH ROAD, HOCKLEY

APPLICANT : **ALBION MANAGEMENT SOLUTIONS LTD**

ZONING : **RESIDENTIAL**

PARISH: **HOCKLEY PARISH COUNCIL**

WARD: **HOCKLEY WEST**

SITE FRONTAGE: **24.38m** **SITE AREA:** **1870 sqm (approx)**

PLANNING APPLICATION DETAILS

- 2.1 Outline permission for development at this site was granted following an appeal in relation to application OL/0490/98/ROC. That application related to all of the land within the site of the property Westview on Church Road. As depicted in the Local Plan only part of this land is within the residential zone, the remainder being in the Green Belt. As a result permission was refused by this Authority. On appeal, the Inspector felt able to give a 'split decision' whereby he gave approval for the land within the residential zone, but not to that outside it.
- 2.2 This application constitutes reserved matters then in relation to that land for which outline approval was granted. Six properties are proposed in total, consisting of three pairs of semi-detached dwellings. The dwellings will have a height to the eaves of 4.7m or lower and to the ridge of maximum, 8.6m. No garages are to be provided as part of the development but plots 1 to 4 are to have car ports. Other provision for parking will be made by means of separate spaces.
- 2.3 One of the pairs of semis is to be accessed direct from the Church Road frontage. A roadway shown to be of adoptable standard would service the remaining four dwellings.
- 2.4 These proposals have been amended during the course of dealing with this application. Initially, eight dwellings were proposed which were to have rooms in the roofspace. Some of the responses below will relate to application as it was initially submitted.

RELEVANT PLANNING HISTORY

- 2.5 There are two outstanding applications under consideration in relation to this site. Application 02/00453/REM is a further reserved matters application which proposes the development of five dwellings and associated access. This application was submitted at the same time at that which the subject of this report. However it is considered invalid, largely as a result of the extent of the land referred to in it extending beyond that for which outline planning permission was granted.
- 2.6 Nevertheless, the applicant has appealed to the Planning Inspectorate with regard to the non determination of that application. That appeal has been accepted and the application is now subject to that process.
- 2.7 The second outstanding application under consideration is 02/01035/OUT, this is an outline application.
- 2.8 Applications which relate to the site and which have been determined are as follows:
- 2.9 Application 00/00892/OUT was an outline application for the development of 15 units on the whole of the land associated with Westview (10 of the units were to be affordable housing). This application was refused and an appeal against refusal dismissed.
- 2.10 Application 00/00407/OUT again in outline form for the development of 12 units (of which 4 were to be affordable dwellings) on the whole of the Westview site. Refused with a subsequent appeal (joint with 00/00892 above) dismissed.
- 2.11 Lawful Development Certificate 99/00785/LDC for development ancillary to a dwelling. Certificate issued.
- 2.12 Application OL/0490/98/ROC. This is the outline approval which this reserved matters follows. As indicated it related to the whole of the Westview site and was refused by this Council. On appeal outline permission was granted in relation to that part of the site within the residential zone.
- 2.13 Application OL/0131/95/ROC. Outline application for residential development for four chalet style dwellings on the Westview site. Application withdrawn.
- 2.14 Application F/0043/94/ROC. This was a full application to demolish the existing Westview dwelling and erect seven replacement dwellings on the whole site. This was refused and a subsequent appeal dismissed.
- 2.15 Application F/0788/91/ROC. Addition of side dormers to the existing dwelling, permitted.
- 2.16 Application ROC/0457/61. Outline application for residential development on the Westview site, approved. No more than two additional dwellings were to be constructed on the site (total three).

CONSULTATIONS AND REPRESENTATIONS

- 2.17 **First Round** (These responses relate to the initial submission where eight dwellings were proposed).
- 2.18 Essex County Council **Highway Authority** recommends that the applicant be requested to enter into a Legal Agreement to provide a footway of width 1.8m along the frontage of the site to Church Road. Conditions are also suggested with regard to visibility splays, access junction radii, and the provision of space for parking and turning.
- 2.19 With regard to the internal layout it is noted that it is not clear whether this is to be offered for adoption or not. The specification of the accessway to be followed if it is to be adopted or otherwise are set out.
- 2.20 Essex County Council **Planning Officer** has no strategic comments.
- 2.21 Essex County Council **Design Officer** comments that it is questionable whether the intensification of development here is sustainable. It is set out that the style of the proposed houses do not relate to the character of the surrounding form and a more spacious form should be adopted. The number of dormer windows is seen as excessive and contrary to the advice in the Essex Design Guide as is the use of integral garaging which will be dominant in views. Fenestration appears heavy and disproportionate. With regard to parking it is noted that the arrangements are highly unsatisfactory and dominant. A more satisfactory arrangement is not possible here due to the excessive density proposed. (Please note, as indicated, these comments relate to the initial submission for eight dwellings).
- 2.22 The **Environment Agency** comments about the need to use sustainable drainage systems and to ensure that the water company is consulted. It raises no objections.
- 2.23 **Anglian Water** has no objections in principle but suggests that a condition be added to any approval requiring details of foul and surface water drainage to be submitted and agreed.
- 2.24 **English Nature** comment that the proposals are within an area known to support populations of slowworms. It is indicated that the presence of a protected species is a material consideration and that, if they are known to be present, additional ecological assessments should be carried out.
- 2.25 **Hockley Parish Council** considers that the proposals represent a clear over development and that more than 5 properties are served from a private drive off a dangerous section of road with no footway. There is concern expressed about the loss of mature trees and that the proposals are not in keeping with the street scene. It is considered that lower density development should take place adjacent to the Green Belt.

- 2.26 The **Highways and Buildings Maintenance Manger (Engineers)** comments that there are no public sewers in the vicinity of the proposals and therefore the means of disposal will need to be identified.
- 2.27 In response to consultations 13 occupiers of neighbouring residential properties have objected on the basis of, in the main, the following issues:
- development is out of keeping or character with the existing area, with too great a density;
 - existing traffic problems due to the road width, amount of traffic and current lack of footway will be significantly exacerbated;
 - represents development in the Green Belt;
 - concern how the Green Belt land adjacent to the site will be treated, or of pressure on it for additional development;
 - loss of outlook;
 - overlooking/loss of privacy;
 - insufficient consideration to dealing with surface and foul water drainage, leading to offsite problems (exacerbating those already experienced);
 - impact on wildlife;
 - impact on trees outside the site;
 - insufficient on site vehicle parking;
 - noise;
 - sets precedent/ other more suitable sites available.
- 2.28 **Second Round** (These responses follow the amendment of the scheme from eight to six dwellings. Any additional responses received will be reported in the addendum paper).

MATERIAL PLANNING CONSIDERATIONS

- 2.29 These proposals constitute a reserved matters application. They follow the granting of an outline consent for the development of the land at Westview within the residential zone. As a result the principle of development has been established. As indicated, this permission was granted on appeal. The Inspector who dealt with that appeal attached a number of conditions requiring details to be submitted of the siting, design and external appearance of the buildings, the means of access and the landscaping of the site. Also required were details of the facing and roofing materials, means of enclosure, and parking provision.
- 2.30 Given the existence of the outline permission it is considered that it is appropriate to consider, at this stage, the following issues in relation to these proposals:
- density of development;
 - the impact on the character and appearance of the area;
 - impact on residential amenity;
 - vehicle parking;

Density

- 2.31 Government policy in relation to housing density is set out in PPG3, Housing. Part of the guidance stresses the need to create mixed and inclusive communities, offering a choice of housing and lifestyle. The government does not accept that different types and tenures of housing make bad neighbours.
- 2.32 The government is committed to maximising the re-use of previously developed land and local authorities should avoid the inefficient use of land. In this respect, developments which have a density of less than 30 dwellings per hectare should be avoided and the authority should encourage development of between 30 and 50 dwellings per hectare.
- 2.33 However, the authority should reject poor design. Particular additional advice in relation to design is set out in PPG1, General Policy and Principles. Here we are told that new buildings and their curtilages have a significant impact on the character and quality of an area. The appearance of a proposed development and its relationship to its surroundings are matters of proper public interest. We are also told that poor designs may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings.
- 2.34 Against this background, the Structure Plan has been formulated. In policy CS2 of that plan the need to safeguard and enhance the character of the urban environment is stressed. New development which results in over-development, unsympathetic change and the loss of amenity will not be permitted (policy BE1). Subject to that, land in existing built-up areas should be used in the most efficient way.
- 2.35 Reference has been made above to the two applications that were submitted in 2000 and which related to the development of the whole of the Westview site. At the subsequent appeal into the refusal of those applications the Inspector considered the question of the impact of the development then proposed on the character of the area. That appeal was based on the assessment of two schemes, one for 12 units and the other for 15. On the basis of these schemes, the density of development at the site would have been 25 dwellings per hectare or 31 (approx) dwellings per hectare. This compares with an existing density of development in the area of 2.58 dwellings per hectare.
- 2.36 The Inspector who dealt with those appeals concluded that those densities of development would be acceptable. He also concluded that, despite being in outline form, the layout shown at the time was of a high standard with adequate recognition of the interests of neighbours and future occupiers. He noted the existence of the Hawthorne and Sunnyfield Gardens area and concluded that the density then proposed would not be untypical of infill sites elsewhere. In relation to the scheme with the fewer number of dwellings, he noted that the density was below that encouraged in PPG3, but given the peripheral nature of the location and its character, he considered it would be acceptable.

- 2.37 We are now considering the development of six dwellings on a site of 1870sqm. This represents a density of 32 approx dwellings per hectare. The Inspector who dealt with the recent appeals compared the density propose favourably with the Sunnyfield gardens and Hawthorne Gardens areas. Plan based density calculations with regard to those areas reveals that densities are in fact toward the lower end of those proposed in the appeal submissions. Nevertheless he (the Inspector) was clear that either of the densities proposed in those appeal submissions were acceptable. Whilst the density now proposed is slightly higher than the densities considered acceptable by the Inspector, in relation to the those recent appeals, it is not considered that it is so far removed that it cannot also be seen as acceptable in principle.

Character and appearance

- 2.38 The area is characterised by a mix of styles of development. Despite the views of the Inspector at the recent appeals, it is considered that the character of the application site is defined by the development which is located to the north of the junction of Folly Lane and Church Road. In this area the development comprises some modest and some very significant dwellings, mostly individual and mostly in generous sized plots. To the south of the road junction referred to the development is far more uniform in character, scale, design and the scale of the plots.
- 2.39 The appeal Inspector referred to the clear advice in PPG3 that mixed forms of development are to be encouraged by planning authorities. Now proposed are six plots which are far more limited in size than any others to the north of the Folly Lane, Church Road junction. Given the clear national advice, and the design of the dwellings, referred to below, it is not considered that the clear difference in the scale of the dwellings would have an unduly harmful impact.
- 2.40 In terms of frontage, each pair of semi-detached dwellings proposed, is to have a frontage of approx 16m, not unlike many of the individual dwellings in the area. They are to have heights to the eaves and ridges as set out in the introductory paragraphs above, again, not dissimilar to other existing dwellings in the area. It is considered that the scale of the individual buildings is acceptable.
- 2.41 In design terms, the buildings are to constitute two pairs with the same frontage appearance, and a further pair with different appearance. The identical frontage pairs will be to the Church Road frontage and the first along the access roadway (these pairs are to have differing side and rear elevations). One half of the pair will have a gable fronted projecting first floor element with bay below. The other half will have a two storey bay feature. The roof is hipped to one side, and chimney features are to be provided at both ends. Car port parking at ground level is provided in the centre of the pair, one such space for each dwelling (with additional spaces elsewhere on site – see car parking details below). The design proposed follows many of the pointers set out in the Essex Design Guide and is perfectly acceptable.

- 2.42 The differently designed pair is to be placed at the rear (east) of the plot. Both dwellings will have gable ends, but one is to have a steeper pitch than the other giving differentiation. Otherwise the design will be simple and again be of a form which is acceptable.
- 2.43 Associated with the development of the dwellings will be the road and accessway. This is shown to be constructed to an adoptable standard and with a footway provided both within the site and along its frontage with Church Road. It is considered that the introduction of the frontage footway here, a requirement of the Highway Authority, would have an urbanising impact on the character of the area. The Inspector who dealt with the recent appeals considered this issue however, when a footway was proposed along the length of the Westview frontage and, although he acknowledged the impact, did not consider that it necessarily was harmful. In any event, it is the case that this is a reserved matters application and the outline permission, granted at appeal, did not include any requirement for the frontage footway. So, although it is shown to be offered on the drawings now submitted, it could not be insisted upon and neither can the Legal Agreement referred to by the Highway Authority.
- 2.44 The adoptable standard of the roadway to be provided however is such that it is considered to represent a more dominating impact in the appearance and character of the area than it need be. It would be quite acceptable for a private unadoptable accessway to be provided for the four dwellings which are not to be accessed directly from the Church Road frontage. This would allow the width of the surfaced area to be reduced and avoid the need for a differentiated footway. The turning head could also be reduced (even given the requirements for fire tender access). Given that the proposed dwellings are all placed to the south of the roadway and that therefore the roadway will be apparent in views from both within and outside the development, it is considered that it does have a harmful impact that can be avoided by the use of acceptable and less dominant alternatives.

Residential amenity

- 2.45 The occupiers primarily affected in this respect are those of the existing dwelling Oakhurst, to the south of the proposed site, and 80 Folly Lane, to the west. The Inspector who dealt with the recent appeal considered this issue. Albeit dealing with a different layout, he indicated that, in his view, it would be possible to design dwellings for the layouts then shown without causing significant loss of amenity. He did not believe that strict adherence to the standards set out in the Essex Design Guide was an overriding consideration given the more recent guidance in PPG3, Housing.
- 2.46 Whilst the point of the Inspector is well made, in that instance he was considering two indicative layouts which showed the distance of the main elevation of the dwellings from the west (with 80 Folly Lane) and south boundaries (with Oakhurst) as 12m and 20m respectively in both cases. Now those distances have reduced to 11.4m and 9m, where the proposed dwellings face directly onto the existing. The Design Guide standard is that 15m separation should be achieved. The distance between the dwelling on plot 5 and 80 Folly Lane is 25m approx, the Design Guide standard. There is no similar distance for Oakhurst given that the dwellings that look directly onto that plot are at right angles to the existing dwelling.

- 2.47 In terms of the relationship between the proposed and 80 Folly Lane, it is considered that acceptable amenity is retained. There is an existing substantial tree on this boundary and additional planting can be implemented (and is indeed shown on the submitted drawings) to further offset any intensive overlooking. One of the rear facing windows at first floor is to a bathroom which can be condition to be fitted with obscure glazing.
- 2.48 The relationship to Oakhurst to the south, is assisted by the presence of mature planting within that neighbouring plot. At two locations along the side boundary of the plot are significant existing conifer trees, to the rear is a very large willow and other trees. These will screen some of the potential for overlooking from the proposed development, but not all. One of the first floor rooms to plots 3 and 4 is a bathroom, and so obscure glazed, but there is potential for overlooking from the remaining room over large parts of the garden area of Oakhurst. Whilst it is acknowledged that the Design Guide separation criteria should not be slavishly followed, it must be remembered that the separation distance here has fallen to 9m (from some 20m from the main elevation previously).
- 2.49 Plot 5 is proposed to be flank on to the garden of Oakhurst at 1m distant from the boundary. Whilst this is not considered to cause a dominance issue, as it is some 30m plus from the dwelling Oakhurst and is shielded by existing planting, it is considered that views from the first floor front of the dwelling will be possible over considerable parts of the Oakhurst garden and from close proximity.
- 2.50 The applicant points to the overlooking that occurs now from an existing dormer window to the property Westview. It is acknowledged that this is the case, but it is considered that the proposed development will intensify the degree of overlooking that occurs. The applicant also proposes that additional planting be implemented to offset the potential impact on amenity. Again, whilst this will have some value, given the small gardens within the site it is considered that there will be limited potential for planting which has any significant effect but which does not reduce unacceptable the garden area available for the new residents or reduce their amenity.
- 2.51 In terms of garden sizes, considering the substantive parts of the gardens (that is not included narrow strips to the flank of the dwellings) three of the six are below the Local Plan guide of 100sqm. Two are only marginally so however at 95sqm approx. Taking account of the comments of the Inspector in relation to the adherence of local standards as opposed to the advice in PPG3, it is not considered that these shortfalls are unacceptable.
- 2.52 The garden to plot 3 is approx 80sqm however. Given the comments above in relation to the specification of the accessway, it is considered that amendment could be made to the layout to reduce that area taken by the road and put it instead to additional plot size. This could ensure that the garden for plot 3 was brought to a level more tolerably near the Local Plan standard.

Vehicle Parking

- 2.53 Plots 1, 2, 5 and 6 are to have two spaces each. Plots 3 and 4 will have a space each and share a further space, average 1.5 spaces per plot. The Inspector who dealt with the recent appeals considered the issue of the accessibility of the (larger Westview) site by non-car modes. He concluded that although accessibility by bus is reasonable (services on High Road) he did not believe that the site was well located in relation to a range of transport opportunities and community facilities. He therefore thought it unlikely that the housing would prove attractive to households which did not have the use of a private car.
- 2.54 The parking standards currently utilised by the Authority indicate that, in areas where accessibility to public transport services is not good, a minimum of 2 spaces per 3-bed property is appropriate. Again, taking account of the comments of the Inspector, it is considered that the above standard should apply. In this case we have a shortfall of one space. However, this is a limited discrepancy and since PPG3 advises that an average of 1.5 spaces is appropriate it is not considered that the shortfall here is unduly harmful.

Other Issues

- 2.55 Wildlife interest: At the time of the outline applications in 2000 some potential interest in relation to protected reptile species was identified on the site. The applicants consultant suggested that this could be adequately protected by conditions on any permission requiring on-site management of the issue. The Inspector who dealt with the appeals also considered this issue and concluded in the same vein. It is concluded then that there is no significant wildlife issue which precludes the development of this site. This is indeed more so now than in relation to the earlier appeal proposals in that other land remains undeveloped within the curtilage of the Westview dwelling which could be used to accommodate any management requirements.

CONCLUSION

- 2.56 The principle of residential development on this land is established by virtue of the outline planning permission granted at appeal. Whilst the density of development will have an impact on the character of the area and, it is considered, result in some significant change, government guidance and the comments of the Inspector who dealt with the most recent appeals here indicate that this should not be taken as harmful in itself.
- 2.57 The design of the dwellings, their scale and size, is quite acceptable. However, it is considered that the design of the access roadway and the inter-relationship between the proposed dwellings and the existing one to the south (and hence the impact on amenity) are such that the proposals do have an unnecessarily harmful impact.

RECOMMENDATION

2.58 It is recommended that this Committee **RESOLVES to REFUSE** to grant consent for this reserved matters application for the reason(s) as set out below:

- 1 The proposed layout for the site shows the four dwellings to the east (plots 3 to 6) to be accessed by a roadway which comprises a carriageway of 4.8m width and an associated footway of 1.8m width. This design specification is more significant in terms of the width of carriageway and provision of footway than is necessary to serve the four proposed dwellings. Because of this and the location of the roadway on the northern boundary of the proposed development, is considered to have a significant impact on the character of the area by virtue of the introduction of large areas of surfacing. The impact is greater than that which is necessary given that a roadway of a reduced specification, in terms of carriageway width and provision of footways, could be utilised instead.
- 2 The dwellings on plots 3, 4 and 5 are located such that views will be had at close proximity between the upper rooms and the existing private garden area of the dwelling to the south, Oakhurst. As a result, and notwithstanding the existing and proposed screen planting, it is considered that the proposed development will have a significant and harmful impact on the residential amenity that occupiers of the existing dwelling, Oakhurst, would reasonably expect to enjoy in their private garden area

Relevant Development Plan Policies and Proposals:

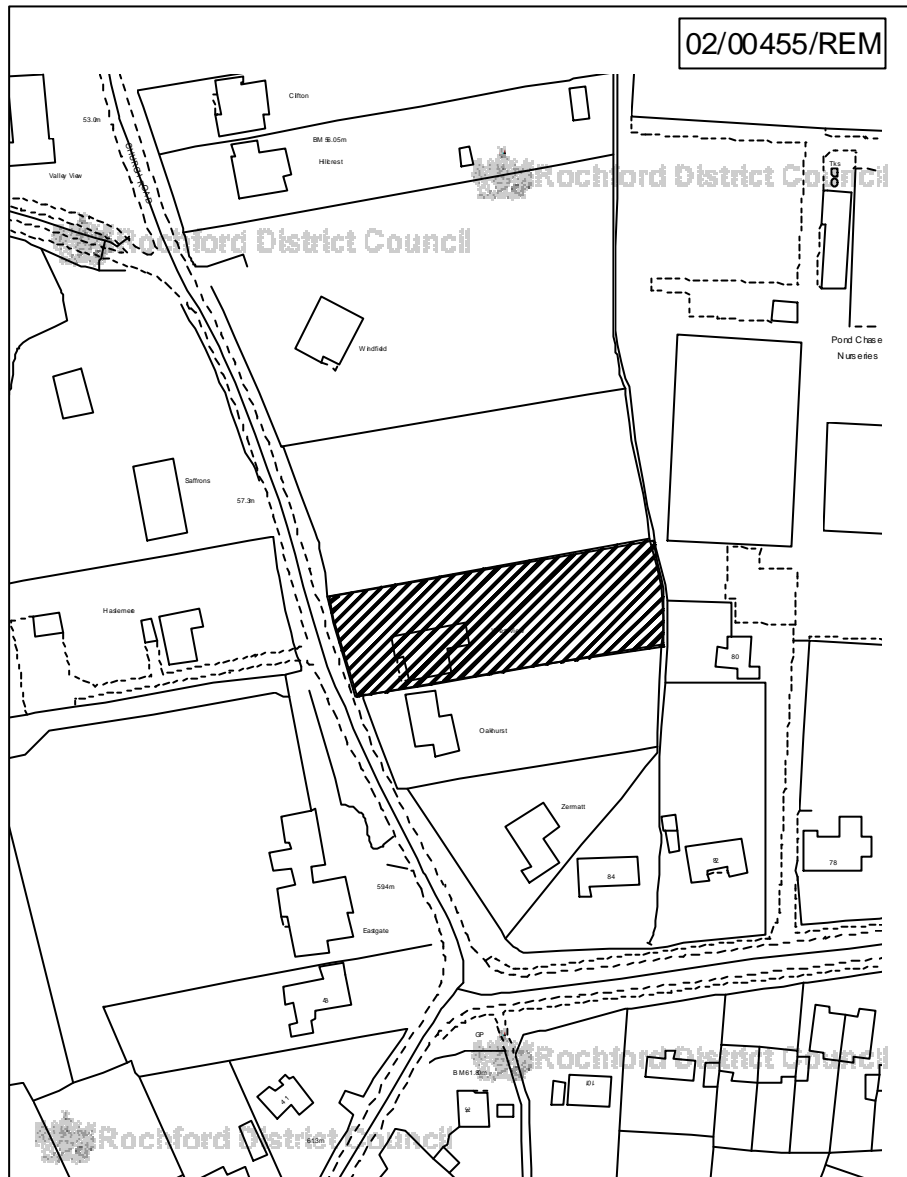
Rochford District Local Plan First Review H1, H2, H11, H19, H20, H24, TP15, RC10, PU3

Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, CS4, NR6, BE1, H1, H2, H3, H4, T12



Shaun Scrutton
Head of Planning Services

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



This copy has been produced specifically for Planning and Building Control Purposes only.

Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

This copy is believed to be correct. Nevertheless, Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.



TITLE : **02/00453/REM**
ERECT FIVE 5/6-BED DWELLINGS (TWO STOREY WITH
ROOMS IN THE ROOFSPACE), DETACHED OR INTEGRAL
GARAGES, LAYOUT PARKING AND ACCESS
WESTVIEW, CHURCH ROAD, HOCKLEY

APPLICANT : **ALBION MANAGEMENT SOLUTIONS LTD**

ZONING : **PART RESIDENTIAL, PART METROPOLITAN GREEN BELT**

PARISH: **HOCKLEY PARISH COUNCIL**

WARD: **HOCKLEY WEST**

SITE FRONTAGE: **33m approx** **SITE AREA:** **2607sqm (approx)**

PURPOSE OF THIS REPORT

- 3.1 This report relates to a reserved matters application that has been submitted following the outline approval given for land at Westview, at appeal, in 1999 (application OL/0490/98/ROC. That application related to the whole of the land at the Westview site, however, the Inspector issued a 'split' decision so that outline approval was granted only for that area within the residential zone.
- 3.2 Elsewhere on the agenda for this meeting, Members will note a further reserved matters application for the Westview site. That application was considered valid as, amongst other matters, the area of land to which it related was considered to be that for which outline planning consent was issued at the above referred to appeal. In the case of this application however, it is considered that the extent of land referred to in the application extends beyond that for which outline consent was granted. As a result the application was considered invalid. It has not been the subject of consultation.
- 3.3 The applicant has appealed with regard to this matter and the non-determination of the application to the Planning Inspectorate. The position of the Authority was made known, however the Inspectorate have accepted the appeal as valid. The purpose of this report therefore is to clarify the position of the Authority with regard to the proposals and the approach to be taken at the appeal (if it proceeds).

PLANNING APPLICATION DETAILS

- 3.4 Five dwellings are proposed with the associated access and garages/parking. Each of the dwellings is to have accommodation on three floors, the top floor being created within the roofspace. Two dwellings (plots 1 and 2) will front onto Church Road with a vehicular access to them being created direct from that road. They will have garage parking to the rear of the plots with access from the accessway to be created into the site. These dwellings will have a height to the eaves of 6.4m and to the ridge of 11.3m, the frontage width is 11.3m approx. Each dwelling will have three frontage dormers within the roof.
- 3.5 Plot 3 comprises a main dwelling with subsidiary elements to both sides. One of these side elements is to accommodate a double garage. The height to the eaves of the main dwelling will be 6.6m, and to the ridge 10.8m. This plot faces north such that it looks directly onto the site accessway. The width of the main frontage is 10.4m
- 3.6 Plots 4 and 5 are located at the eastern side of the site. Plot 4 has a subsidiary frontage element projecting at right angles to the main dwelling (which faces west) and which has accommodation on two floors only, incorporating a garage at ground floor. The frontage has a parapet wall arrangement. The height to the eaves will be 5.1m and to the ridge 10.1m. The dwelling to plot 5 is double gable fronted in appearance with two frontage bay windows. The height to the eaves is 5.8m and to the main ridge 11.8m. The frontage width is 14.6m. Two parking spaces are to be provided to the side of the dwelling.

RELEVANT PLANNING HISTORY

- 3.7 There are two outstanding applications also under consideration in relation to this site. Application 02/00455/REM is a further reserved matters application which proposes the development of six dwellings and associated access. This application was submitted at the same time at that which the subject of this report and is the subject of a separate report on this agenda.
- 3.8 The second outstanding application under consideration is 02/01035/OUT. That is an outline application.
- 3.9 Applications which relate to the site and which have been determined are as follows:
- 3.10 Application 00/00892/OUT was an outline application for the development of 15 units on the whole of the land associated with Westview (10 of the units were to be affordable housing). This application was refused and an appeal against refusal dismissed.
- 3.11 Application 00/00407/OUT again in outline form for the development of 12 units (of which 4 were to be affordable dwellings) on the whole of the Westview site. Refused with a subsequent appeal (joint with 00/00892 above) dismissed.

- 3.12 Lawful Development Certificate 99/00785/LDC for development ancillary to a dwelling. Certificate issued.
- 3.13 Application OL/0490/98/ROC. This is the outline approval which this reserved matters follows. As indicated it related to the whole of the Westview site and was refused by this Council. On appeal outline permission was granted in relation to that part of the site within the residential zone.
- 3.14 Application OL/0131/95/ROC. Outline application for residential development for four chalet style dwellings on the Westview site. Application withdrawn.
- 3.15 Application F/0043/94/ROC. This was a full application to demolish the existing Westview dwelling and erect seven replacement dwellings on the whole site. This was refused and a subsequent appeal dismissed.
- 3.16 Application F/0788/91/ROC. Addition of side dormers to the existing dwelling, permitted.
- 3.17 Application ROC/0457/61. Outline application for residential development on the Westview site, approved. No more than two additional dwellings were to be constructed on the site (total three).

CONSULTATIONS AND REPRESENTATIONS

- 3.18 As indicated above, it is considered that this application is not valid and, as a result, no consultation procedure has been undertaken in relation to it. However, subsequent to the acceptance that a valid appeal has been made, by the Planning Inspectorate, all those organisations and neighbouring occupiers who would normally have been consulted, have been so consulted.
- 3.19 No responses have been received at the time of the preparation of this report however, should any be received prior to the meeting they will be reported on the addendum paper.

MATERIAL PLANNING CONSIDERATIONS

Extent of Residential Zone

- 3.20 Clearly this is one of the fundamental issues in relation to this application and one on which there is a clear difference of view between the Authority and the applicant.
- 3.21 The inner boundary of the Green Belt here was formalised in County Development Plans and then in the first Rochford District Local Plan in 1988 and carried through into the reviewed Local Plan in 1995. The northern boundary of the residential zone was drawn along a clear boundary feature identified on the Ordnance Survey base maps used at the time. That boundary feature is certainly not present on the site now and, indeed, it appears that it may have been removed some years previously. However, it is significant to note that the same boundary feature still appears on maps produced from the Ordnance Survey base now.

-
- 3.22 In any event, despite the fact that the boundary feature may no longer be present on the ground, there is no evidence to suggest that the boundary was in any way drawn in error or is not a valid and appropriate one.
- 3.23 In the absence of other information it has been taken that the former boundary feature, and the one featured on OS based maps, is one which corresponds to the curtilage of the property Westview when it was first constructed. Drawings held at the planning office showing the original construction specification of the dwelling, show it to have a plot width of 80 feet. The corresponding metric measurement is 24.38m, and this has been taken to be an appropriate and substantiated measurement of the frontage of the residential zone.
- 3.24 The measurement is disputed by the applicant and it has pointed to various arguments to support this alternative view. The first of these, in chronological order, is that, when part of the land that comprises the Westview site was first identified as Green Belt, the planning permission for residential development which had been granted in 1962 (ref: ROC/0457/61) was still extant. Therefore it is argued that the County Planning, and subsequently this Authority were estopped from identifying the land as part of the Green Belt.
- 3.25 This is not considered to be the case here as the initial decision to identify some of the land as Green Belt could not invalidate the earlier decision to allow development and prevent its implementation. The latter decision did not override therefore, the earlier decision. The fact is that the earlier approval was not implemented and subsequently lapsed. Once that was the case, any further development proposals had to be judged in the light of the latest policy guidance in relation to the land, namely its Green Belt status.
- 3.26 The applicant points to the decision of a Planning Inspector made at appeal in relation to application F/0043/94/ROC. It is considered that the position of the Authority was not made abundantly clear in the evidence presented to that appeal. In the statement submitted the original drawings for the dwelling, and the depth of the frontage (the 80', 24.38m measurement) were referred to as being a basis for the Green Belt boundary. However, it was also suggested in the evidence that a frontage depth of 25m could be accepted as being in the residential zone. The Authority argued that, on the submitted drawings, the seven dwellings proposed were not wholly within the residential zone.
- 3.27 In his decision letter the Inspector commented:
- 3.28 "The Green Belt boundary appears to reflect some form of demarcation on the old Ordnance Survey extract running east to west some 30m from the southern boundary. This may have coincided with the original area of the cultivated garden."
- 3.29 "You accept [*the appellant*] that the Green Belt boundary bisects your property and, indeed, you have used this fact as the basis for the submitted layout which shows seven dwellings erected south of that line as drawn on the Proposals Map to the Local Plan."

-
- 3.30 “On the second issue [*impact on character*], it seems to me that the proposed layout has been specifically contrived to ensure that the seven houses and access road remain within the area designated as residential on the Proposals map to the Local Plan. Accordingly, only the gardens would thereby project into the Green Belt,.....”
- 3.31 The view taken is that the comments are of a generalised nature and are not sufficiently precise to constitute an unequivocal determination of the boundary of the Green Belt. Notably, the Inspector referred to the demarcation on the Ordnance Survey plans although he went on to indicate that this may be *some* 30m from the southern boundary of the site, and that this *may* have coincided with the original cultivated area of the plot. In the absence of more compelling evidence to the contrary it is considered that the original drawings with identified dimensions provide a firmer basis for establishing the location of the Green Belt boundary and the Authority is not stopped from taking such a view on the basis of the earlier Inspectors comments.
- 3.32 The other comments of the Inspector relate to the detail of the proposed layout at the time and, as above, do not give us any firmer or specific guidance as to the location of the boundary. It is still considered that the clear and specific evidence of the original construction drawings is more compelling.
- 3.33 A further Inspectors decision letter followed in relation to application OL/0490/98/ROC. In that letter the Inspector commented:
- 3.34 “It is common ground between the parties that the northern part of the appeal site lies within the Green Belt as defined in the Local Plan, whilst the southern part is excluded from that designation, and falls within the defined residential area of Hockley. However, there is no agreement between the parties as to the exact demarcation of these two areas on the ground.”
- 3.35 So whilst this Inspector acknowledged that the question of the location of the Green Belt boundary could still be a matter of disagreement, he did not offer any further views of his own in relation to the positioning of it.
- 3.36 The next appeal decision was made with regard to two appeals in 2001. These were outline applications 00/00407/OUT for 12 units and 00/00892/OUT for 15 units. In his decision letter the Inspector commented:
- 3.37 “It is agreed between the parties that the northern part of the site lies within the Metropolitan Green Belt, whilst the southern part lies outside this designation and is within the residential area of Hockley. The precise boundary between these two areas is disputed, however. The appellant argues that the boundary divides the plot in two equal halves, whereas the Council believes that about 60% is within the Green Belt.”
- 3.38 When dealing with the appropriateness of the development then proposed the Inspector commented that the exact boundary of the Green Belt was not critical to his decisions.

- 3.39 So even in these most recent appeals, it is clear that there is acknowledged dispute with regard to the location of the Green Belt boundary and no clear alternative evidence is put which would appear to undermine the credibility of the position that the Authority has taken.

Appropriate Development

- 3.40 Working on the basis of the location of the Green Belt boundary as set out above, that is at a position of 24.38m from the southern boundary of the site, parts of the proposed development fall into the Green Belt area.
- 3.41 The majority of the access roadway together with the turning head, a small part of the side flank to the dwelling on plot 2 and about half of the dwelling to plot 5 will be so located.
- 3.42 Government policy in relation to development is set out in PPG2, Green Belts. It is established there that only certain limited forms of development in the Green Belt are appropriate. Other development, which includes open market housing, as is proposed in this case, is inappropriate and, by its very nature, harmful to the Green Belt. The national policy establishes that there may be some, very special circumstances, which justify inappropriate development to proceed. No such circumstances have been advanced in this case.
- 3.43 The policies in the Essex and Southend on Sea Replacement Structure Plan carry through the national guidance into the strategic context and, although adopted very shortly after the publication of PPG2, the policies of the Rochford District Local Plan also follow closely the thrust of that guidance.
- 3.44 It has to be concluded then that the part of the development proposals which fall beyond the residential zone and within the Green Belt must constitute inappropriate development for which there has been no special justification. Whilst that within the residential zone may be acceptable, in principle, there is no prospect of a 'split' decision here given that buildings fall partially within the two zones and because the majority of the access road would be lost if development outside the residential zone were resisted.

Character, appearance and density

- 3.45 Government policy in relation to housing is set out in PPG3, Housing. Part of the guidance stresses the need to create mixed and inclusive communities, offering a choice of housing and lifestyle. The government does not accept that different types and tenures of housing make bad neighbours.
- 3.46 The government is committed to maximising the re-use of previously developed land and local authorities should avoid the inefficient use of land. In this respect, developments which have a density of less than 30 dwellings per hectare should be avoided and the authority should encourage development of between 30 and 50 dwellings per hectare.

- 3.47 However, the authority should reject poor design. Particular additional advice in relation to design is set out in PPG1, General Policy and Principles. Here we are told that new buildings and their curtilages have a significant impact on the character and quality of an area. The appearance of a proposed development and its relationship to its surroundings are matters of proper public interest. We are also told that poor designs may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings.
- 3.48 Against this background, the Structure Plan has been formulated. In policy CS2 of that plan the need to safeguard and enhance the character of the urban environment is stressed. New development which results in over-development, unsympathetic change and the loss of amenity will not be permitted (policy BE1). Subject to that, existing built-up areas should be used in the most efficient way.
- 3.49 Reference has been made above to the two applications that were submitted in 2000 and which related to the development of the whole of the Westview site. At the subsequent appeal into the refusal of those applications the Inspector considered the question of the impact of the development then proposed on the character of the area. That appeal was based on the assessment of two schemes, one for 12 units and the other for 15. On the basis of these schemes, the density of development at the site would have been 25 dwellings per hectare or 31 (approx) dwellings per hectare. This compares with an existing density of development in the area of 2.58 dwellings per hectare.
- 3.50 The Inspector who dealt with those appeals concluded that those densities of development would be acceptable. He also concluded that, despite being in outline form, the layout shown at the time was of a high standard with adequate recognition of the interests of neighbours and future occupiers. He noted the existence of the Hawthorne and Sunnyfield Gardens area and concluded that the density then proposed would not be untypical of infill sites elsewhere. In relation to the scheme with the fewer number of dwellings, he noted that the density was below that encouraged in PPG3, but given the peripheral nature of the location and its character, he considered it would be acceptable.
- 3.51 We now have a scheme for the development of five dwellings on an area of 2607sqm approx. This equates to a density of development of 19 dwellings per hectare approx. Whilst the Inspector who dealt with the recent appeals concluded that a density of 25 dwellings per hectare was acceptable given the peripheral nature of the site, there does not appear to be any significant justification for this further fall, in the face of government guidance, to 19.
- 3.52 Allied to that is the consideration to be given to the impact of the proposed development on the character and appearance of the area. It has been set out above how the Inspector who dealt with the recent appeals did not consider that proposed development which resulted in a change to the character and density of development in an area as harmful in itself.

- 3.53 Here however we have the proposed development of substantial dwellings, both in terms of their frontage widths and heights. Whilst it is acknowledged that there are some substantial dwellings in the Church Road area, it is considered that these do not predominate and that certainly in relation to dwelling type there is a predominance of bungalow and chalet bungalow accommodation. Most existing dwellings are in substantial plots. In this proposal, to the Church Road frontage, hence the most visible part of the development, there would be presented two dwellings which comprise a full two storey with additional dormered accommodation above. Each would have a frontage width and height to the ridge of over 11m. It is considered that they would be excessively and harmfully out of scale and character with the existing development in the area. In addition, the dwelling to plot 2 would provide a harsh and dominant edge to the Green Belt.
- 3.54 The dwelling to plot 3, which is considered to front direct onto the Green Belt boundary, is again a considerable dwelling in terms of size, height and scale, even taking into account the subsidiary elements, again forming a harsh edge to the Green Belt. The dwelling to plot 5 is more significant still, with a frontage width of over 14m and height to the ridge of over 11m. This dwelling is actually located half into the Green Belt but, in any event, if permitted would provide the new southern boundary to the undeveloped Green Belt land. This would indeed, in isolation and together with the other dwellings provide a harsh and dominant built edge to the Green Belt. This 'edge' formed by the dwellings on plots 2, 3 and 5 (and the roadway) will be visible because of the undeveloped nature of the remaining Westview site land to the north.
- 3.55 The dwelling on plot 4 is possibly the least visible from outside the site. Nevertheless it remains a significant dwelling in terms of its visual impact, because of its large footprint and height.
- 3.56 In addition to the built form proposed, it is also appropriate to consider the impact of the proposed accessway and other highway associated elements. The drawings submitted actually show the provision of a footway across the entirety of the frontage of the Westview site. This is considered to have an urbanising impact on the character of the area. However, the Inspector who dealt with the recent appeals considered this issue and concluded that the impact was not so harmful as to be unacceptable. In any event, this application is put forward as a reserved matters submission where the provision of the footway is not required as a result of the outline consent. It could not therefore be insisted upon in any event.
- 3.57 The access roadway into the site serves as a vehicular access for all five dwellings (although plots 1 and 2 also have separate access direct from the Church Road frontage). The road layout in this case has not been subject to scrutiny by the Highway Authority. However, given the requirements in relation to application 02/00455/REM if a roadway which is to adoptable standard is to be implemented (which is specified to be the case) the specification of it in terms of junction alignment and radii would probably have to be increased.

- 3.58 An adoptable standard roadway is not a strict requirement in the case of this development given that only five dwellings are to be accessed. A private roadway, which has reduced requirements in terms of width and provision of footways, would be sufficient. Given that the roadway is located to the north of the development site, and adjacent to the remaining undeveloped land on the Westview site, it will be visible in views from the north. It is considered that a lower specification roadway would have less visual impact than one that is designed to adoptable standard.

Residential Amenity

- 3.59 The occupiers primarily affected in this respect are those of the existing dwelling Oakhurst, to the south of the proposed site, and 80 Folly Lane, to the west. The Inspector who dealt with the recent appeal considered this issue. Albeit dealing with a differing layout, he indicated that, in his view, it would be possible to design dwellings for the layouts then shown without causing significant loss of amenity. He did not believe that strict adherence to the standards set out in the Essex Design Guide was an overriding consideration given the more recent guidance in PPG3, Housing.
- 3.60 In that instance the Inspector was considering two indicative layouts which showed the distance from the main elevations of the dwellings from the west (with 80 Folly Lane) and south boundaries (with Oakhurst) as 12m and 20m respectively in both cases. On the layout now under consideration to main rear elevation of the dwelling to plot 4 (and backing directly onto 80 Folly Lane) is some 11.4m from the boundary at most, but has a rear projecting element with a first floor window which comes to within 7m of the boundary. The distance between the main elements of the two dwellings is 21m approx (below the Design Guide standard of 25m).
- 3.61 Despite these shortcomings, it is not considered that there will be undue impact in relation to the occupiers of 80 Folly Lane. There is an existing substantial tree on this boundary and additional planting can be implemented (and is indeed shown on the submitted drawings) to further offset any intensive overlooking.
- 3.62 The relationship with Oakhurst to the south is assisted by the presence of mature planting within that neighbouring plot. At two locations along the side boundary of the plot are significant existing conifer trees and to the rear is a very large willow and other trees. The dwelling at plot 1 forms a conventional neighbouring relationship with Oakhurst and, it is considered, does not result in any adverse amenity impact.
- 3.63 The dwelling at plot 3 is at right angles to the Oakhurst dwelling and, therefore, the rear of the new dwelling faces onto the garden of Oakhurst. The main element of the rear elevation is some 17m from the boundary. There is a rear projection that comes to within 12.5m, but this is shown to be fitted with an obscure glazed window at first floor. As a main separation distance of 20m was considered acceptable by the inspector, and the reduced separation is still in accordance with the requirements of the Design Guide, it is again considered that the impact here is acceptable.

- 3.64 The dwelling on plot 4 presents a side elevation at 1m distant from the boundary with Oakhurst. This is a substantial side elevation, some 16m in length, all at two storey height. There are a number of windows, but those at first floor are shown to be obscure glazed. The separation between the frontage of the dwelling to plot 4 and the rear of the Oakhurst dwelling is some 25m.
- 3.65 Whilst the dwelling will have some degree of dominance, in relation to Oakhurst, this will be offset to a significant amount by the substantial existing planting within the Oakhurst plot. Given this, and the element of separation, it is not considered that the amenity impact is unacceptably harmful.
- 3.66 With regard to garden sizes, and considering the substantive parts of the gardens (that is not including narrow strips to the flanks of the dwellings) all of the five dwellings have in excess of the 100sqm minimum. The plot with the smallest private garden area is no 2 which is just over the minimum at 106sqm. This limited garden area has an additional impact in relation to the character and appearance of the development in that it is symptomatic of the limited space between the dwellings and hence the dominance of the buildings, rather than the open space, in the development. Given that only one of the gardens is close to the minimum requirement, and one is more than double at 230sqm, it is not considered that the garden size is a reason in itself that permission would be resisted.

Vehicle Parking

- 3.67 Plots 1 and 2 have a single space in a rear garage, but sufficient land at the frontage for at least two additional vehicles. Plots 3 and 4 have double garages. Plot 5 has two side parking spaces. There is sufficient space within the access road and courtyard to provide additional parking for each of those three plots.
- 3.68 The parking standards currently utilised by the Authority indicate that, in areas where accessibility to public transport services is not good, a minimum of 3 spaces for four bed properties are required. Given the comments of the Inspector in relation to the recent appeals it is considered that these standards should apply in this case. They are met by the proposed development.

Other Issues

- 3.69 Wildlife interest: At the time of the outline applications in 2000 some potential interest in relation to protected reptile species was identified on the site. The applicants consultant suggested that this could be adequately protected by conditions on any permission requiring on-site management of the issue. The Inspector who dealt with the appeals also considered this issue and concluded in the same vein. It is considered then that there is no significant wildlife issue which precludes the development of this site. This is indeed more so now than in relation to the earlier appeal proposals in that other land remains undeveloped within the curtilage of the Westview dwelling which could be used to accommodate any management requirements.

CONCLUSION

- 3.70 Despite the arguments of the applicant, this Council is entitled to put forward a view in relation to the boundary of the Green Belt and it would appear, has a sound basis for its view. The development proposed extends beyond that boundary and out of the residential zone and into the Green Belt. It constitutes inappropriate development in that respect therefore for which no special circumstances have been advanced.
- 3.71 The density of development is low, in relation to government guidance and the comments of the Inspector who dealt with the recent appeals in relation to the site. In addition a form of development is proposed which is considered to be out of scale and character with the existing development in the area. It is unbalanced in terms of the proportion of built development to open space and presents a harsh and dominant edge to what would become the Green Belt visual boundary. The specification of the roadway is more significant than in need be, and will probably require further increase if it is to be adoptable, and adds to the dominant impact on the character of the area and the Green Belt. Residential amenity and vehicle parking issues are considered to be acceptably addressed.
- 3.72 Members are reminded that no decision can be made with regard to this application, given that it is the subject of an appeal to the Planning Inspectorate. Authority is sought however that the case presented by Officers to the appeal Inquiry in due course be along the lines of that set out in this report and the recommendation below.

RECOMMENDATION

- 3.73 It is recommended that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to present the following as the position of the Local Planning Authority to the planning Inquiry in relation to the non determination of this application:

That, if this Authority had the jurisdiction to determine this application it would have REFUSED planning permission on the basis that:

- part of the application site and development is located in the Green Belt. It constitutes a form of inappropriate development for which no very special reasons are being advanced in justification;
- the density of development is low in relation to government guidance and the comments of the Inspector who dealt with the most recent appeals in relation to this site;

- the development proposed is unacceptably out of scale and character with the existing development in the area, representing a high proportion of built development to undeveloped space and presenting a harsh and dominant edge to what would become the visual boundary of the Green Belt. This is exacerbated by the high specification of the roadway which may need to be further enhanced if it is to be to adoptable standard;

Relevant Development Plan Policies and Proposals:

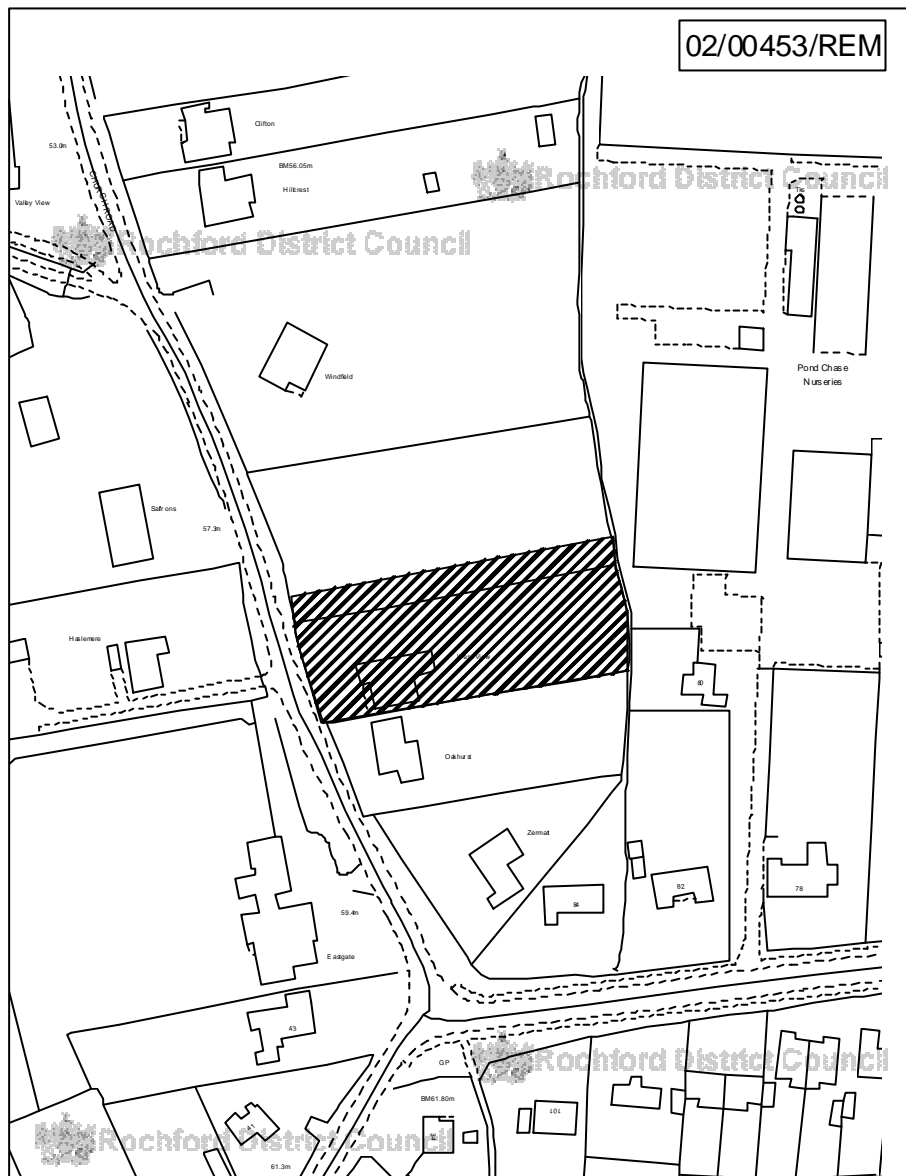
Rochford District Local Plan First Review H1, H2, H11, H19, H20, H24, GB1, GB6, TP15, RC10, PU3

Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, CS4, C2, NR6, BE1, H1, H2, H3, H4, T12



Shaun Scrutton
Head of Planning Services

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



This copy has been produced specifically for Planning and Building Control purposes only.

Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

This copy is believed to be correct. Nevertheless, Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.

NTS



TITLE : **02/01035/OUT
OUTLINE APPLICATION FOR RESIDENTIAL
DEVELOPMENT
WESTVIEW, CHURCH ROAD, HOCKLEY**

APPLICANT : **MR D BALL**

ZONING : **PART RESIDENTIAL/ PART METROPOLITAN GREEN BELT**

PARISH: **HOCKLEY TOWN COUNCIL AREA**

WARD: **HOCKLEY WEST**

SITE FRONTAGE: **31m (approx)** **SITE AREA:** **2400sqm (approx)**

PLANNING APPLICATION DETAILS

- 4.1 This is an outline application with all matters reserved. The plans submitted can be taken only as indicative. They show a site which has a frontage of 31m approx to the Church Road. The detailed site layout plan shows a roadway into the site which actually would straddle the boundary of the site, as shown on the location plan, and extend further into the Green Belt area of land ownership here. The applicant confirms however that this is to be ignored as it is to show an accessway allowed under permitted development.
- 4.2 On the submitted application forms it is indicated that development would take place at a density of greater than 30 dwellings per hectare. A development at the density of 30 per hectare would give 7 dwellings.

RELEVANT PLANNING HISTORY

- 4.3 There are two other outstanding applications under consideration in relation to this site. Applications 02/00453/REM and 02/00455/REM are both reserved matters applications proposing respectively the development of five or six dwellings and associated access.
- 4.4 Applications which relate to the site and which have been determined are as follows:
- 4.5 Application 00/00892/OUT was an outline application for the development of 15 units on the whole of the land associated with Westview (10 of the units were to be affordable housing). This application was refused and an appeal against refusal dismissed.
- 4.6 Application 00/00407/OUT again in outline form for the development of 12 units (of which 4 were to be affordable dwellings) on the whole of the Westview site. Refused with a subsequent appeal (joint with 00/00892 above) dismissed.

-
- 4.7 Lawful Development Certificate 99/00785/LDC for development ancillary to a dwelling. Certificate issued.
- 4.8 Application OL/0490/98/ROC. This is the outline approval which this reserved matters follows. As indicated it related to the whole of the Westview site and was refused by this Council. On appeal outline permission was granted in relation to that part of the site within the residential zone.
- 4.9 Application OL/0131/95/ROC. Outline application for residential development for four chalet style dwellings on the Westview site. Application withdrawn.
- 4.10 Application F/0043/94/ROC. This was a full application to demolish the existing Westview dwelling and erect seven replacement dwellings on the whole site. This was refused and a subsequent appeal dismissed.
- 4.11 Application F/0788/91/ROC. Addition of side dormers to the existing dwelling, permitted.
- 4.12 Application ROC/0457/61. Outline application for residential development on the Westview site, approved. No more than two additional dwellings were to be constructed on the site (total three).

CONSULTATIONS AND REPRESENTATIONS

- 4.13 Essex County Council **Highway Authority** recommends that the applicant be invited to enter into a legal agreement to provide a footway along the frontage of the site with Church Road, as part of the development. (Note: it would appear that the applicant would be willing to do so given that such a footway is shown on the indicative layout plan).
- 4.14 Conditions are also suggested with regard to the visibility splays of any access roadway, junction specification, pedestrian visibility and parking provision.
- 4.15 Four neighbouring occupiers have responded to consultations raising, in the main, the following issues:
- not in accordance with development plan, lead to loss of openness and urban sprawl;
 - out of keeping with the character of the area;
 - poor links to public transport for affordable housing (Note affordable housing is not identified as part of these proposals);
 - create traffic hazard due to parking on road and access;
 - loss of privacy and creation of additional noise

MATERIAL PLANNING CONSIDERATIONS**Principle of Development**

- 4.16 This is one of the fundamental issues in relation to this application and one on which there is a clear difference of view between the Authority and the applicant.
- 4.17 The inner boundary of the Green Belt here was formalised in County Development Plans and then in the first Rochford District Local Plan in 1988 and carried through into the reviewed Local Plan in 1995. The northern boundary of the residential zone was drawn along a clear boundary feature identified on the Ordnance Survey base maps used at the time. That boundary feature is certainly not present on the site now and, indeed, it appears that it may have been removed some years previously. However, it is significant to note that the same boundary feature still appears on maps produced from the Ordnance Survey base now.
- 4.18 In any event, despite the fact that the boundary feature may no longer be present on the ground, there is no evidence to suggest that the boundary was in any way drawn in error or is not a valid and appropriate one.
- 4.19 In the absence of other information it has been taken that the former boundary feature, and the one featured on OS based maps, is one which corresponds to the curtilage of the property Westview when it was first constructed. Drawings held at the planning office showing the original construction specification of the dwelling, show it to have a plot width of 80 feet. The corresponding metric measurement is 24.38m, and this has been taken to be an appropriate and substantiated measurement of the frontage of the residential zone.
- 4.20 The measurement is disputed by the applicant and he has made various points in support of his alternative view. The first of these, in chronological order, is that, when part of the land that comprises the Westview site was first identified as Green Belt, the planning permission for residential development which had been granted in 1962 (ref: ROC/0457/61) was still extant. Therefore it is argued that the County Planning, and subsequently this Authority were stopped from identifying the land as part of the Green Belt.
- 4.21 This is not considered to be the case here as the initial decision to identify some of the land as Green Belt could not invalidate the earlier decision to allow development and prevent its implementation. The latter decision did not override therefore, the earlier decision. The fact is that the earlier approval was not implemented and subsequently lapsed. Once that was the case, any further development proposals had to be judged in the light of the latest policy guidance in relation to the land, namely its Green Belt status.

- 4.22 The applicant points to the decision of a Planning Inspector made at appeal in relation to application F/0043/94/ROC. It is considered that the position of the Authority was not made abundantly clear in the evidence presented to that appeal. In the statement submitted to that appeal by the Authority the original drawings for the dwelling, and the depth of the frontage (the 80', 24.38m measurement) were referred to as being a basis for the Green Belt boundary. However, it was also suggested in the evidence that a frontage depth of 25m could be accepted as being in the residential zone. The Authority argued that, on the submitted drawings, the seven dwellings proposed were not wholly within the residential zone.
- 4.23 In his decision letter the Inspector commented:
- 4.24 "The Green Belt boundary appears to reflect some form of demarcation on the old Ordnance Survey extract running east to west some 30m from the southern boundary. This may have coincided with the original area of the cultivated garden."
- 4.25 "You accept [*the appellant*] that the Green Belt boundary bisects your property and, indeed, you have used this fact as the basis for the submitted layout which shows seven dwellings erected south of that line as drawn on the Proposals Map to the Local Plan."
- 4.26 "On the second issue [*impact on character*], it seems to me that the proposed layout has been specifically contrived to ensure that the seven houses and access road remain within the area designated as residential on the Proposals map to the Local Plan. Accordingly, only the gardens would thereby project into the Green Belt,...."
- 4.27 The view taken is that the comments are of a generalised nature and are not sufficiently precise to constitute an unequivocal determination of the boundary of the Green Belt. Notably, the Inspector referred to the demarcation on the Ordnance Survey plans although he went on to indicate that this may be *some* 30m from the southern boundary of the site, and that this *may* have coincided with the original cultivated area of the plot. In the absence of more compelling evidence to the contrary it is considered that the original drawings with identified dimensions provide a firmer basis for establishing the location of the Green Belt boundary and the Authority is not stopped from taking such a view on the basis of the earlier Inspectors comments.
- 4.28 The other comments of the Inspector relate to the detail of the proposed layout at the time and, as above, do not give us any firmer or specific guidance as to the location of the boundary. It is still considered that the clear and specific evidence of the original construction drawings is more compelling.
- 4.29 A further Inspectors decision letter followed in relation to application OL/0490/98/ROC. In that letter the Inspector commented:
- 4.30 "It is common ground between the parties that the northern part of the appeal site lies within the Green Belt as defined in the Local Plan, whilst the southern part is excluded from that designation, and falls within the defined residential area of Hockley.

- 4.31 However, there is no agreement between the parties as to the exact demarcation of these two areas on the ground.”
- 4.32 So whilst this Inspector acknowledged that the question of the location of the Green Belt boundary could still be a matter of disagreement, he did not offer any further views of his own in relation to the positioning of it.
- 4.33 The next appeal decision was made with regard to two appeals in 2001. These were outline applications 00/00407/OUT for 12 units and 00/00892/OUT for 15 units. In his decision letter the Inspector commented:
- 4.34 “It is agreed between the parties that the northern part of the site lies within the Metropolitan Green Belt, whilst the southern part lies outside this designation and is within the residential area of Hockley. The precise boundary between these two areas is disputed, however. The appellant argues that the boundary divides the plot in two equal halves, whereas the Council believes that about 60% is within the Green Belt.”
- 4.35 When dealing with the appropriateness of the development then proposed the Inspector commented that the exact boundary of the Green Belt was not critical to his decisions.
- 4.36 So even in these most recent appeals, it is clear that there is acknowledged dispute with regard to the location of the Green Belt boundary and no clear alternative evidence is put which would appear to undermine the credibility of the position that the Authority has taken.

Appropriate Development

- 4.37 Working on the basis of the location of the Green Belt boundary as set out above, that is at a position of 24.38m from the southern boundary of the site, parts of the proposed development site would fall into the Green Belt area.
- 4.38 Government policy in relation to development in the Green Belt is set out in PPG2, Green Belts. It is established there that only certain limited forms of development in the Green Belt are appropriate. Other development, which includes open market housing, as is proposed in this case, is inappropriate and, by its very nature, harmful to the Green Belt. The national policy establishes that there may be some, very special circumstances, which justify inappropriate development to proceed. No such circumstances have been advanced in this case.
- 4.39 The policies in the Essex and Southend on Sea Replacement Structure Plan carry through the national guidance into the strategic context and, although adopted very shortly after the publication of PPG2, the policies of the Rochford District Local Plan also follow closely the thrust of that guidance.

- 4.40 It has to be concluded then that the part of the development proposals which fall beyond the residential zone and within the Green Belt must constitute inappropriate development for which there has been no special justification, whilst that within the residential zone may be acceptable. In this case, as has been the case with previous outline permissions for this site, a split decision is possible whereby permission for the area of the site with the residential zone, and therefore acceptable in principle, can be given.

Density

- 4.41 Government policy in relation to housing is set out in PPG3, Housing. Part of the guidance stresses the need to create mixed and inclusive communities, offering a choice of housing and lifestyle. The government does not accept that different types and tenures of housing make bad neighbours.
- 4.42 The government is committed to maximising the re-use of previously developed land and local authorities should avoid the inefficient use of land. In this respect, developments which have a density of less than 30 dwellings per hectare should be avoided and the authority should encourage development of between 30 and 50 dwellings per hectare.
- 4.43 However, the authority should reject poor design. Particular additional advice in relation to design is set out in PPG1, General Policy and Principles. Here we are told that new buildings and their curtilages have a significant impact on the character and quality of an area. The appearance of a proposed development and its relationship to its surroundings are matters of proper public interest. We are also told that poor designs may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings.
- 4.44 Against this background, the Structure Plan has been formulated. In policy CS2 of that plan the need to safeguard and enhance the character of the urban environment is stressed. New development which results in over-development, unsympathetic change and the loss of amenity will not be permitted (policy BE1). Subject to that, existing built-up areas should be used in the most efficient way.
- 4.45 Reference has been made above to the two applications that were submitted in 2000 and which related to the development of the whole of the Westview site. At the subsequent appeal into the refusal of those applications the Inspector considered the question of the impact of the development then proposed on the character of the area. That appeal was based on the assessment of two schemes, one for 12 units and the other for 15. On the basis of these schemes, the density of development at the site would have been 25 dwellings per hectare or 31 (approx) dwellings per hectare. This compares with an existing density of development in the area of 2.58 dwellings per hectare.

- 4.46 The Inspector who dealt with those appeals concluded that those densities of development would be acceptable. He also concluded that, despite being in outline form, the layout shown at the time was of a high standard with adequate recognition of the interests of neighbours and future occupiers. He noted the existence of the Hawthorne and Sunnyfield Gardens area and concluded that the density then proposed would not be untypical of infill sites elsewhere. In relation to the scheme with the fewer number of dwellings, he noted that the density was below that encouraged in PPG3, but given the peripheral nature of the location and its character, he considered it would be acceptable.
- 4.47 Given the comments of the Inspector who dealt with the recent appeals, it is considered that objection cannot be raised on the basis of the density of development proposed. The answer to the question on the application form simply indicates that the density of development will be greater than 30 dwellings per hectare. No upper limit is prescribed. Clearly there will be an upper limit at which the form of development will have unacceptable consequences for the character of the area or for residential amenity. Given that control remains over the ultimate form and layout of development on the site (subject, of course, to the minimum number of units complying to the 30 per hectare criteria) it is considered that it is not necessary to prescribe one at this stage.

Residential Amenity

- 4.48 As this application is made wholly in outline, with none of the details of siting or design of dwellings under consideration at this stage, no comment can be made with regard to this implication of any development here. It is only relevant to note that, for the recent appeal proposals, whilst they were located on a larger area of land the density of one of the schemes proposed was greater than 30 dwellings per hectare. The Inspector considered it likely that residential amenity would not be unacceptably compromised.

Frontage Footway

- 4.49 The Highway Authority have requested the provision of a footway along the frontage of the site to Church Road, to be secured by means of a legal agreement. Whilst the submitted plans are being taken as indicative, such a footway is shown to be provided.
- 4.50 When dealing with the recent appeal proposals, an argument was advanced, on behalf of the Authority, that the provision of such a feature would further harmfully impact on the character and appearance of the area. The Inspector who dealt with those appeals considered that point, but did not agree with that view, considering that although the character of the area would be changed, this was not necessarily harmful.
- 4.51 The question of the principle of the provision of a frontage footway has also been considered at appeal. Outline planning for the residential area of the site was first granted following application OL/0490/98/ROC. The proposal put forward then was similar to that now advanced, in that it was in outline form with all matters reserved. In his decision letter the Inspector concluded that in the absence of substantial highway evidence, he was not persuaded that such a requirement would be necessary. It is not considered that the situation is materially different now and the request by the Highway Authority that a frontage footway be required by agreement is not formalised below.

Other Issues

- 4.52 Wildlife interest: At the time of the outline applications in 2000 some potential interest in relation to protected reptile species was identified on the site. The applicants consultant suggested that this could be adequately protected by conditions on any permission requiring on-site management of the issue. The Inspector who dealt with the appeals also considered this issue and concluded in the same vein. It is considered then that there is no significant wildlife issue which precludes the development of this site. This is indeed more so now than in relation to the earlier appeal proposals in that other land remains undeveloped within the curtilage of the Westview dwelling which could be used to accommodate any management requirements.

CONCLUSION

- 4.53 It is considered that the site, as proposed falls mostly within the residential zone, but in part extends into the Metropolitan Green Belt. For that area within the Green Belt the proposals represent an inappropriate form of development for which there are no very special circumstances in justification. The density of development is considered acceptable, and there are no other compelling reasons as to why planning permission should not be granted for that part of the site within the residential zone, in accordance with the earlier outline approval OL/0490/98/ROC.
- 4.54 A 'split decision' therefore is appropriate, granting planning permission for that part of the site within the residential zone, but refusing it for that part outside.

RECOMMENDATION

- 4.55 It is recommended that this Committee **RESOLVES** to issue a '**SPLIT DECISION**' with regard to this application, **GRANTING PLANNING PERMISSION** for that part of the site within the residential zone of Hockley and **REFUSING PLANNING PERMISSION** for that part of the site within the Metropolitan Green Belt.
- 4.56 The reason for the refusal of that part of the site which is within the Metropolitan Green Belt is as follows:
- 4.57 With regard to that part of the application site that is within the Metropolitan Green Belt, that is any part of the site north of a line drawn east to west across the site at a distance of 24.38m north of the southern boundary of the site, the development proposals are considered to constitute an inappropriate form of development in terms of the guidance set out in PPG2, Green Belts, and would be contrary to policy C2 of the Essex and Southend on Sea Replacement Structure Plan and policy GB1 of the Rochford District Local Plan. No very special circumstances have been advanced to justify the development within the Metropolitan Green Belt and, as a result, it is by its very nature harmful to the objectives and purposes of designating land as Green Belt.

4.58 The heads of conditions that apply in relation to that part of the site within the residential zone are as follows:

- 1 SC1 Reserved matters standard
- 2 SC3 Time limits outline
- 3 SC14 Materials
- 4 SC49A Means of enclosure
- 5 Requirement for a scheme of landscaping
- 6 Implementation of the scheme of landscaping
- 7 Requirement for adequate parking provision
- 8 Provision of visibility splays to the main access road
- 9 Provision of pedestrian visibility splays
- 10 Scheme of measures to be put in place to protect animal species on the site
- 11 This permission hereby granted relates to that part of the site south of a line drawn east to west across the site at a distance of 24.38m north of the southern boundary of the site.

Relevant Development Plan Policies and Proposals

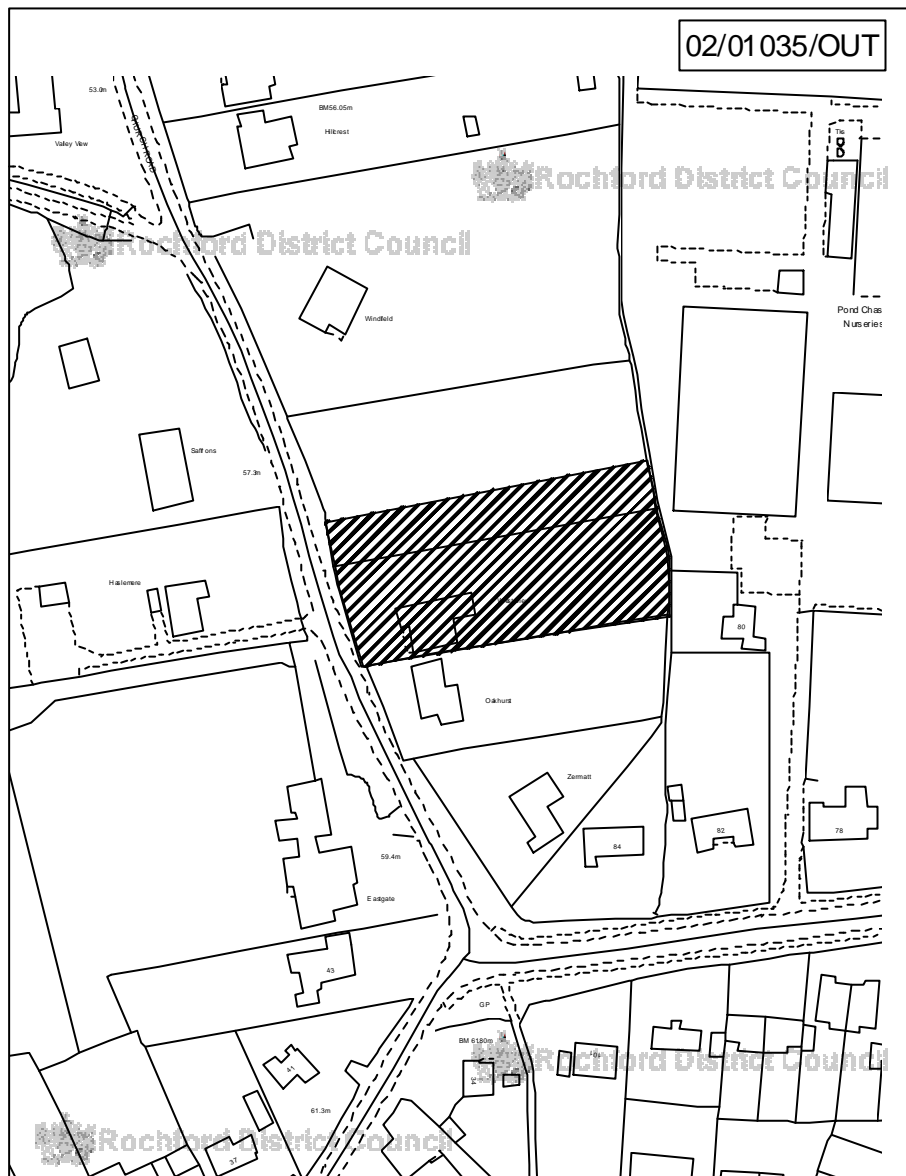
Rochford District Local Plan First Review :H1, H2, H19, H24, GB1, GB6,

Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, CS4, C2, NR6, BE1, H1, H2, H3, H4



Shaun Scrutton
Head of Planning Services

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



This copy has been produced specifically for Planning and Building Control purposes only.
 Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 This copy is believed to be correct. Nevertheless, Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.

NTS



TITLE : **02/00758/FUL
EXTENSIONS TO EXISTING LEISURE CENTRE TO PROVIDE
NEW ENTRANCE AREA, BAR, OPERATIONAL ROOMS AND
SUN CANOPIES AS PART OF REFURBISHMENT
THROUGHTOUT. REDESIGN CAR PARK AND ACCESS
LAYOUT. SET OUT EXTERNAL SEATING AREA
CLEMENTS HALL LEISURE CENTRE,
CLEMENTS HALL WAY, HAWKWELL**

APPLICANT : **HOLMES PLACE**

ZONING : **METROPOLITAN GREEN BELT/ PUBLIC OPEN SPACE
EXISTING**

PARISH: **HAWKWELL PARISH COUNCIL AREA**

WARD: **HAWKWELL WEST**

PLANNING APPLICATION DETAILS

- 5.1 A major refurbishment of the facilities on the site and within the existing building is proposed. As part of that work only some elements of the scheme actually require planning consent. These relate to the external works and where additions are being made to the building.
- 5.2 The most significant addition is to create the new entrance area. This will comprise primarily a flat roofed glazed frontage addition with an external canopy. It will have a height of 6.2m approx and extend outwards by some 11m approx (built footprint) with a further 6m under the canopy. To the south side (along the current glazed area to the swimming pool) will be a further canopy, approx 5.5m in height and extending out by some 3.5m.
- 5.3 On the west and north sides of the building are two further additions. These have footprints of approx 30sqm and approx 42sqm respectively with heights of 3.6m and 3.1m. One is to be a new plant room to the swimming pool whilst the second is to be a new store room.
- 5.4 As a result of the frontage extension, it is proposed that the car parking and access arrangements will be reconfigured. A number of spaces to the south of the building, along with a set down area and 4 disabled person spaces will be lost. These will be relocated elsewhere within the site.

RELEVANT PLANNING HISTORY

- 5.5 Planning permission was originally given for the construction of the leisure centre under ref: ROC/850/77. The centre was extended by the addition of a sports hall, squash courts and sauna under ROC/85/80. Permissions were also granted for the addition of a storage unit and for a front entrance tent canopy under ROC/488/86 and F/0511/93 respectively.

CONSULTATIONS AND REPRESENTATIONS

- 5.6 Essex County Council **Highway Authority** raises no objections
- 5.7 The **Property Maintenance & Highways Manager (Engineers)** has no objections, but notes the reduced facility for school vehicle transport and the increased length of the access roadway which may suffer from unauthorised parking.
- 5.8 The **Head of Housing, Health and Community Care** comments that the proposals have the potential to create noise nuisance to neighbouring residential uses if appropriate noise control measure are not applied. Conditions are suggested to overcome this problem.
- 5.9 One **neighbouring occupier** has written in response raising the following issues, in the main:
- plans do not clearly show any proposed changes to lighting or traffic flow;
 - increased traffic levels (hence exacerbated hazard) noise (arriving and departing, car stereos and alarms) and headlight nuisance;
 - additional noise nuisance from bar and lighting nuisance (reducing privacy of adjoining occupiers);
 - anti social behaviour due to increased use of bar;
 - disruption during construction;
 - suggest that steps be taken, eg planting conifer screening, to reduce all the above.

MATERIAL PLANNING CONSIDERATIONS

Green Belt and Public Open Space

- 5.10 This site is located within the Green Belt and an area identified as existing public open space. With regard to the Green Belt, Members will be familiar with the national and local policy that there is a presumption against development.
- 5.11 Government guidance is set out in PPG2, Green Belts. There it is set out that, unless new built development falls within certain limited and closely defined categories, it must be considered to be inappropriate and by its very nature harmful to the Green Belt. In terms of the new buildings, these are not a form which are identified in the government guidance and must, therefore be considered to be inappropriate.

- 5.12 Policy approach in the Structure Plan very much follows that of the national guidance and, although it was adopted soon after the publication of PPG2 in 1995, the policy approach in the Local Plan is also broadly consistent. So, consideration has to be given to whether there are any very special circumstances to be weighed in the balance.
- 5.13 The proposals represent a general and significant refurbishment and improvement of the facilities at the centre. The governments policy in relation to sport and recreational uses is set out in PPG17, Sport and Recreation. In that guidance the valuable role that sport plays in the health and national pride of the nation is acknowledged. Part of the function of the planning system is to ensure that adequate resources are allocated for organised sport.
- 5.14 The most directly relevant structure plan policy is LRT1 which relates to sites for sports and leisure centres. It is set out that these should be located in or adjoining urban areas and satisfy criteria including location and accessibility. In the Local Plan, it is set out in policy LT3 that the Planning Authority will encourage proposals for indoor and outdoor sports clubs and similar, however it is indicated that such proposals would not normally be acceptable within the open countryside.
- 5.15 As well as the policies which are in support of the proposals, there is the fundamental fact that the current centre is in existence, and has of course been so for a considerable number of years on the site. The new built elements in terms of the plant and storage rooms are considered to be negligible when compared to the scale of the existing buildings. The new frontage element is more significant.
- 5.16 Given that the use is established on this site, that the proposals represent significant investment in and improvement to the facilities (supported by national and strategic policy aims) and that elements of them are insignificant in built terms, it is considered that these constitute very special reasons in support of the development.
- 5.17 The other element of the proposals which does not constitute built development, namely the alteration of the car parking layout is considered to be acceptable in terms of the national guidance. In PPG2 it is advised that where openness is maintained operations do not conflict with the purposes of including land in the Green Belt. It is considered that the car parking layout, although revised, remains of a 'open' nature.
- 5.18 With regard to the open space notation for the site, although the built proposals represent an increase the footprint of the building, they do not result in any part of the building encroaching onto space which is actively used for sport or recreation purposes. The frontage area is currently laid to hard surface for parking and access pathways. To the west, where the new plant room is to be placed, there is currently an incidental piece of roadside grass. The new store room to the north is on an area of land which is currently hard surfaced. None of the built proposals then compromise any open space that is actively used or, it is considered, fall foul of the spirit of policies at national and local level aimed at maintaining the integrity of open spaces.

Vehicle Parking

- 5.19 As indicated, the proposals result in the reconfiguration of the parking layout at the site. There are currently approx 370 parking spaces at the site with the largest individual parking areas to the east and north of the building. Some bays are not delineated individually on the ground so exact counts are not possible. The most intensive parking takes place to the east and south of the main entrance, close to the vehicular access to the site and to ensure the shortest walking distance for customers.

- 5.20 The submitted plans indicate the provision of 399 spaces. As can be appreciated this results in a net gain of approx 30 spaces. Some of these additional spaces will prove most attractive to users as they are close to the entrance. This will offset the loss of equally attractive spaces to the south of the building. In some respects however the additional spaces shown to be provided appear a little unrealistic. Many of the spaces shown are inadequate in terms of width and the plans submitted are unrealistic in terms of the space available for the provision of spaces. No provision is shown for the relocation of disabled persons spaces, for the relocation of the set-down area which is used by the larger school and other transport vehicles or for the relocation of the waste recycling skips currently located at the site. Neither are the plans accurate in terms of the requirement for the existing outdoor fitness track to be relocated or, in two instances, that trees will need to be removed to allow the spaces shown to be accommodated.

- 5.21 The currently used standard for parking provision for leisure and sport uses is based on an assessment of the internal space. For the leisure centre, as proposed to be extended, the application of the standard suggests a requirement for 325 spaces approx. That will be exceeded by the provision at the site.

- 5.22 Overall, given the adequacy of the space around the buildings and the excess of spaces over requirement, it is not considered that there will be fundamental problems with the provision of parking at the centre. The large parking areas to the east and north of the building are currently often significantly underused, whilst users congregate in the areas closest to the building often on the access road and not in designated spaces. This is a management issue of the operators of the site to deal with and, given that it already occurs, it is not considered that these proposals will unduly exacerbate it.

- 5.23 If Members are minded to approve this scheme then it is suggested that a condition be applied requiring more detailed survey and assessment work be undertaken by the applicant to demonstrate that the number of spaces claimed can indeed be provided and that provision be made for the disabled person spaces, larger vehicles and waste recycling skips.

Noise, Activity and Residential Amenity

- 5.24 The occupiers likely to be most affected by the proposed development are those in the dwellings on Read Close and Sweyne Avenue to the south of the site. The Read Close dwellings have a separation distance of some 40m between the buildings and the edge of the site. Whilst there is a realignment of the parking area close to this boundary, it actually has the effect of reducing the parking spaces closest to the boundary and hence, potentially reduce the noise associated with the coming and going of vehicles. It is accepted, of course, that the overall refurbishment of the centre may result in additional customers, and hence additional traffic, but it is not considered that the change would be more than marginal in terms of the activity and noise.
- 5.25 In terms of Sweyne Avenue, this will remain as an access on foot only with the current vehicle barrier remaining in place. Some additional parking spaces will be introduced close to these dwellings, the closest space being approx 30m distant however. Given that existing spaces are already closer, it is not considered that there will be a perceptible change here.
- 5.26 To the north west are the dwellings on Hawkwell Park Drive. These are already located close to the parking area to the north of the centre buildings for which no significant change or addition is proposed, other than a reordering of spaces within the parking area.
- 5.27 In terms of lighting, there are currently two high intensity lights attached to the south of the building which face south towards the Read Close properties and will be perceptible from them. Other lighting within the parking area to the south is modest and of no greater intensity than normal roadside lighting. Given the separation distance between the site and the adjacent dwellings here it is considered that any additional lighting, if required, can be located and directed such that it does not have a significant additional impact on the occupiers. A condition is suggested to control this matter.
- 5.28 Lastly, in relation to residential amenity, a neighbouring resident is concerned about anti social activity which may occur. Whilst this would be regrettable and is a matter to be taken into account, it is not considered that the possibility of such activity should prevent the refurbishment and development of facilities that are used extensively by the local community.

CONCLUSION

- 5.29 Whilst located in the Green Belt and an area identified as open space, it is considered that there are very special circumstances in this case that weigh in the balance of allowing the proposals to proceed. It is not considered that the integrity of the open space is lost in any way.

- 5.30 Vehicle parking issues can be addressed by more careful consideration of the layout on the site and it is considered that, whilst there will be some impact on neighbouring residential occupiers, this is minimal and should not prevent the proposals from proceeding.

RECOMMENDATION

- 5.31 It is recommended that this Committee **RESOLVES** to **APPROVE** these proposals subject to the following heads of condition:

- 1 SC4 Time Limits Full
- 2 SC14 Materials to be Used
- 3 SC13 No development prior to the submission and agreement to drawings showing adequate and acceptable parking provision and school vehicle transport arrangements
- 4 SC35 No lighting and floodlighting in addition to current without agreement
- 5 SC43 Amplified music and speech prohibited outside the buildings

Relevant Development Plan Policies and Proposals

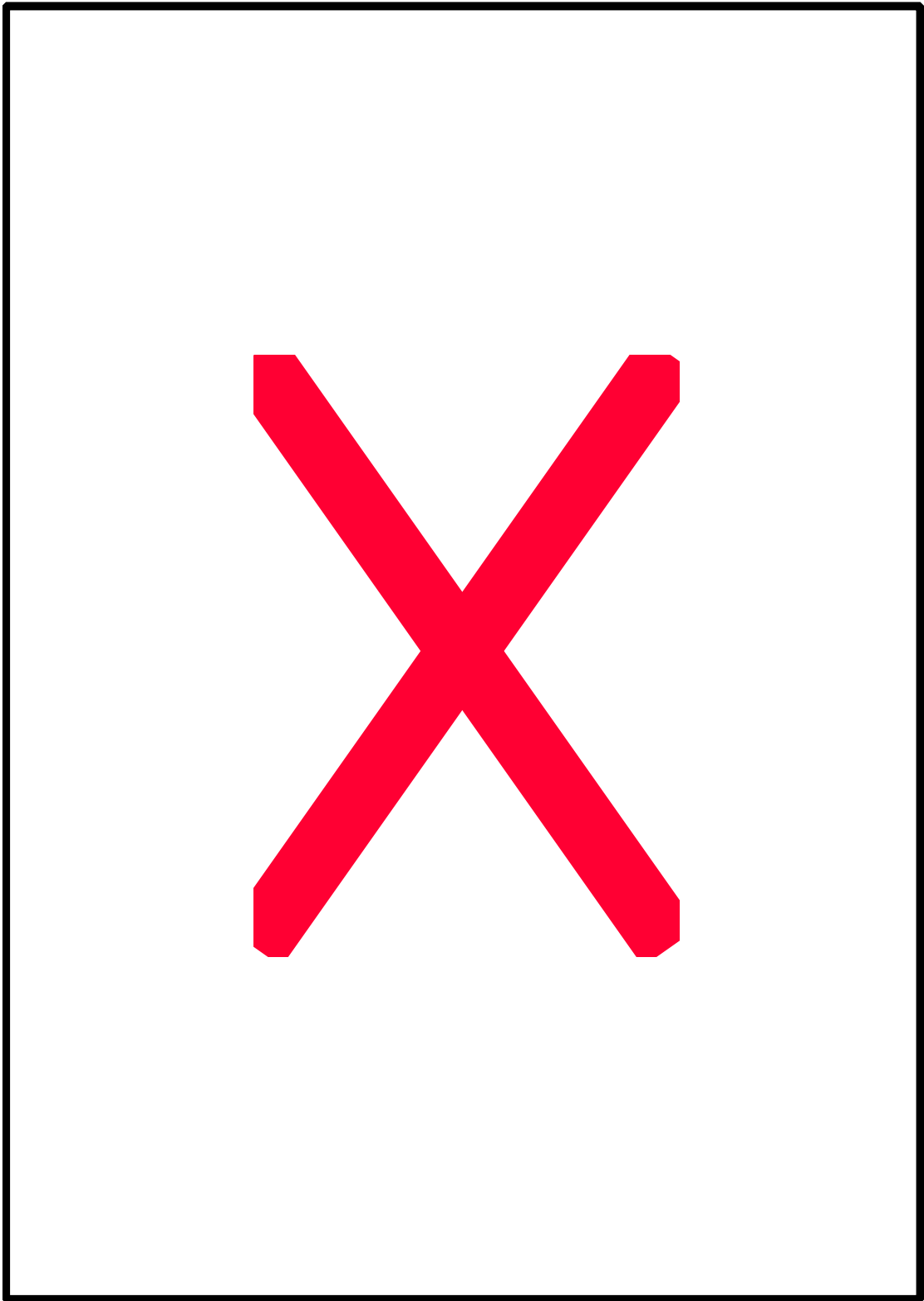
Rochford District Local Plan First Review H24, GB1, TP15, LT3

Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, CS4, C2, BE3, BE6, LRT1, T12



Shaun Scrutton
Head of Planning Services

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



TITLE : **02/00976/FUL**
ERECT TWO STOREY BLOCK OF 27 2-BED AND TWO 1-
BED SHELTERED HOUSING UNITS, WITH COMMUNAL
FACILITIES, LAYOUT PARKING (REVISED LAYOUT
FOLLOWING PERMISSION 01/00791/FUL)
LAND REAR OF 23A SOUTHEND ROAD, HOCKLEY

APPLICANT : **RYAN DEVELOPERS LTD**

ZONING : **RESIDENTIAL**

PARISH: **HOCKLEY PARISH COUNCIL AREA**

WARD: **HOCKLEY CENTRAL**

PLANNING APPLICATION DETAILS

- 6.1 Members may recall the recent application for this site for the same form of development, permitted during the early part of last year. The building now proposed is the same as that for which permission was granted, being two storey in height with a depth of 59m and width of 36m, both approx. The height of the building is shown to be 5.6m to the eaves and 9.4m to the main ridge, again as the recent permission, and no accommodation is to be provided within the roof. The remainder of the site will be set to landscaping, or parking spaces (15 for residents including two disabled person spaces and two for staff). There will be a bin storage area and the access to the site will be a continuation of that which serves the Holly Court parking and garage area.
- 6.2 The reason for this resubmission is the revised location of the proposed building. As distinct from the previous application, the building is now proposed to be placed further to the south within the site (away from the Southend Road direction). The reason for this is to move the building further from trees on the site. When development commenced it was found that the previously submitted tree assessment report was inaccurate with regard to the spread of an adjacent tree. To implement the building in the previously approved position would have involved the removal of the affected tree.

RELEVANT PLANNING HISTORY

- 6.3 The recent permission referred to (01/00791/FUL) was granted in March 2002 and related to the same form of development as indicated above. In 1997 an application was submitted for the development of a 3-bed detached chalet on land directly to the rear of 23 Southend Road, which forms a small part of this site. This application was refused on the basis that it was adjacent to land in light industrial use, close to the vehicular access serving that use, represented over-development and would prejudice a larger scale residential development in the future.

CONSULTATIONS AND REPRESENTATIONS

- 6.4 Essex County Council **Highway Authority** recommends that conditions be applied with regard to the specification of the construction of the access, the provision of a footway and of sufficient parking spaces within the site.
- 6.5 The **Woodlands and Environmental Specialist** comments that, as the movement of the building is along the length of the plot, rather than across it, the effect of it on the trees and their future success is considered to be minimal. He noted that some works had taken place to the trees surrounding the site and that some of these had not been to a high standard. However, further works have now been completed to a very high standard.
- 6.6 The **Property Maintenance & Highways Manager (Engineers)** has no observations.
- 6.7 Three responses have been received from the occupiers of neighbouring properties, or other interested persons. These include a response from the general medical practitioners in Southend Road, Hockley. The issues raised are, in the main, as follows:
- loss of privacy, (greater than the original proposal);
 - local general medical provision is unable to service any additional patients;
 - consider that the applicants should make up, and be responsible for the future maintenance of the access road

One respondent indicates that they have no objections and feels that the development will improve the general appearance and usage of the area.

MATERIAL PLANNING CONSIDERATIONS

Access and parking

- 6.8 The question of access to the site was considered in relation to the previous application for the site. Given that the existing access was to be made up, and provision was to be made for displaced parking (although those displaced could not be compelled to use it) it was considered that acceptable arrangements had been made. The current arrangements are no different in this respect and, as a result it is considered there can be no basis for objection now. The number of parking spaces to be provided is the same as that previously approved.

Privacy and amenity

- 6.9 The design of the building is little changed from that previously approved, in terms of the external appearance, and is no different in terms of the height. As a result it is considered acceptable. Previously, amenity was retained by virtue of the placing of the building within a substantial plot.

- 6.10 The closest distance to the Hillcrest Road property boundaries was between approx 3 and 4m. That is now reduced to 2m approx. It was considered that amenity would be retained because of the significant trees subject to TPO along this boundary, and the very substantial depth of the Hillcrest Road property gardens.
- 6.11 That is still considered to be the case. The trees remain in place and, as before, whilst the new building is closer to the rear boundary of these plots, the depth of the gardens is, for most of the properties, a minimum of 30m. Some have a depth of 40m or more. It is considered that this is sufficient separation to retain amenity for the existing residents and allow sufficient private garden space for them.
- 6.12 To the south west are the properties in Woodpond Avenue which have more limited garden depths, some no more than 11 to 12m. Whilst the proposed building has moved nearer to the boundary with these existing dwellings, by virtue of a rearrangement of the windows to this elevation, the closest one to the boundary here is still some 17m distant (previously separation was 18m minimum). Whilst this has reduced it is still greater than the 15m separation guideline in the Essex Design Guide.
- 6.13 To the west, the site is bounded by the properties 37 and 39 Southend Road and 36 Woodpond Avenue. These properties have substantial gardens. Although the proposed building is close to some of the boundaries here it is at locations well away from the sensitive parts of the adjoining gardens and, indeed, approximately the same separation distance between the closest windows and the boundary as before, namely approx 6m. In addition, there is a tall conifer screen to the boundary of no 36 Woodpond Avenue which is likely to prevent most of the possible overlooking here.
- 6.14 In terms of amenity space for the residents of the proposed units, the provision exceeds that of 25sqm per unit which is required by virtue of the guidelines in the appendix to the Local Plan.

Wildlife and Trees

- 6.15 As part of the earlier submission for the site, it was noted that the habitat of a protected animal species is located close to the south of the site. Prior to any development the entire surface of the site was covered by hard surfacing or by buildings. It appeared that the animals may enter and cross the site, however there was no benefit to them in terms of foraging.
- 6.16 The development will result in the removal of significant parts of the current surfacing of the site and the replacement with turfing or other soft landscaping. It appears that this will be a benefit, in wildlife terms, in that there will be greater scope for the site to provide foraging.
- 6.17 There are a number of trees on the boundary of the site. Some five of these on the south east boundary of the site are subject to TPO protection. The previous consideration of the impact of the new building on the trees was tempered by the fact that four of the protected trees, prior to development, had existing buildings located within the spread of them and all of them had hard surfacing located close to them.

- 6.18 All of the existing buildings would be removed as part of the development. The new building would be located such that part of the footway surrounding it would be located partly under the canopies of the trees together with part of the single storey conservatory. Given the trade off achieved here (removal of the entire hard surfacing of the site and existing buildings) and the view of the Woodlands and Environmental Specialist that the effect of the development on the trees will be minimal, it is considered that the re-sited location of the building is acceptable.
- 6.19 To the west of the site there are two trees located beyond its boundary, but which overhang it to a considerable extent. It was the presence of one of these trees which directly prompted the relocation of the building. Whilst the tree is not subject to TPO protection, the relocated siting allows the tree to be retained.
- 6.20 It was noted previously that some pruning only to these trees would actually be required, but it transpired that the submitted tree report was inaccurate with regard to the spread of one of them. In fact, more major work, such that the retention of the tree would not have been viable, would have been required. The relocation is beneficial in that the retention of this tree is now possible.

CONCLUSION

- 6.21 As with the previous submission, the proposed development is not considered to have any unacceptable impact in terms of visual appearance, affect on amenity, wildlife or traffic generation issues. Although there will be some impact on protected trees on and around the site, this needs to be balanced against the positive impact of the proposals in relation to the removal of hard surfacing, existing buildings and the reduced works required in relation to a non TPO tree on the western side of the site.

RECOMMENDATION

- 6.22 It is recommended that this Committee **RESOLVES** to **APPROVE** this application, subject to the following heads of condition:

- 1 SC4 Time Limits Full
- 2 SC14 Materials to be used
- 3 SC50 Means of enclosure
- 4 SC59 Landscaping
- 5 SC60 Tree Protection
- 6 Specification of construction of the access
- 7 Provision of foot crossings on the access
- 8 Provision of the three parking spaces for the adjoining uses
- 9 Details of tree pruning works
- 10 SC76 Parking and turning
- 11 SC84 Slab levels
- 12 SC90 Surface water drainage
- 13 SC91 Foul water drainage
- 14 Details of fume extraction and ventilation equipment

- 15 Details of lift installation
- 16 Restriction on occupancy to age 55 or over

Relevant Development Plan Policies and Proposals

Rochford District Local Plan First Review H1, H2, H11, H17, H20

Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, H2, H3



Shaun Scrutton
Head of Planning Services

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



TITLE : **01/00650/OUT**
OUTLINE APPLICATION TO ERECT BLOCK OF 12 FLATS,
LAYOUT ACCESS AND PROVIDE CAR PORT PARKING
(DEMOLISH EXISTING BUILDING)
30 CROWN HILL, RAYLEIGH

APPLICANT : **K W JONES AND SONS (RAYLEIGH) LTD**

ZONING : **RESIDENTIAL**

PARISH: **RAYLEIGH TOWN COUNCIL AREA**

WARD: **WHEATLEY**

SITE FRONTAGE: **25m approx** **SITE AREA:** **1387sqm approx**

PLANNING APPLICATION DETAILS

- 7.1 This application is in outline form with only the issues of siting and access to be considered at this stage. As part of the submission however there have been provided indicative drawings of the possible internal layout and external appearance of the building. Details have also been provided of the parking facilities.
- 7.2 The indicative drawings show a building which is to have accommodation on three floors, the uppermost floor being provided within the roof slope. At ground floor access is to be gained from the south east of the frontage of the site (towards the town centre) and then pass underneath the building. Two parking spaces would be provided to the frontage and a remaining 12 spaces to the rear, 10 of these under sunken carports.
- 7.3 Within the building the indicative plans show 4 flats to each floor within a building which has a frontage of 21m, a height to the lowest eaves of 5.5m and to the ridge of 10.3m. The building has a depth of 15m (not including front bays and projections).

RELEVANT PLANNING HISTORY

- 7.4 Permission was given in 1987 for extensions to the existing house.

CONSULTATIONS AND REPRESENTATIONS

- 7.5 Two rounds of consultation have been undertaken. The initial round was in relation to an indicative drawing which, whilst it showed a building in the same location and with the same footprint, was greater in height (11.5m to the highest ridge).

First Round

- 7.6 Essex County Council **Highway Authority** initially recommended refusal on the basis that:
- the proposal would intensify use of an existing access on a classified highway and have the potential to reduce the efficiency of the road and highway safety implications;
 - would constitute intensification of use of an access where there is restricted visibility;
 - inadequate parking provision leading to the possibility of parking on the footway at the frontage with implications for pedestrian safety and further reduction in visibility.
- 7.7 This was subsequently revised when further consideration was given to the matter and the objection was withdrawn and the following conditions suggested instead:
- minimum width of vehicular crossing;
 - pedestrian visibility splays;
 - minimum clearance to the under building accessway;
 - details of the surfacing and layout of the rear car port parking area.
- 7.8 The view of the Highway Authority has subsequently been revised again, see under the second round below.
- 7.9 Essex County Council **Archaeological Officer** has no recommendations.
- 7.10 The **Environment Agency** has no objections but advises:
- foul and surface water should be discharged to the main sewer;
 - measures to be taken to ensure pollution prevention;
- and suggests that the principles of sustainable construction be followed.
- 7.11 **Anglian Water** has no objections but suggests the following conditions:
- details of foul and surface water drainage to be submitted and agreed;
 - building to avoid the public sewer crossing the site.
- 7.12 The **Head of Health, Housing and Community Care** advises that there is a potential for nuisance by way of noise and that future occupiers may be disturbed by traffic noise. If an approval is forthcoming a condition is suggested requiring details of the lift to be submitted and agreed.
- 7.13 **Rayleigh Town Council** objects on the basis that the development does not conform with policy H16 and Appendices 1 and 2 of the Local Plan. Will exacerbate traffic.
- 7.14 Rayleigh Civic Society considers that the proposals are inappropriate as:
- form and density is out of keeping with the character of the area, dominant and detrimental to appearance creating a precedent;
 - loss of amenity for neighbouring occupiers by virtue of the rear parking area;
 - dangerous access arrangement;

- 7.15 10 neighbouring occupiers have also commented on the proposals raising, in the main, the following issues:
- out of character or place for the area;
 - dominant, over-development and with no room for landscaping;
 - loss of privacy, noise and light;

 - exacerbate existing road traffic and safety conditions;
 - inadequate parking;
 - inadequate drainage provision;
 - loss of established property and garden/ wildlife interest;
 - possibility of poorly maintained communal refuse disposal arrangements;
 - precedent/ previous history of refusals on the site.

Second Round

- 7.16 Essex County Council **Highway Authority** retracted its previous comment of no objection and returned to its original recommendation of **refusal** following the results of a more prolonged and intensive vehicle speed check.
- 7.17 Although this is considered to be a site where accessibility and sustainability criteria are met it is a borderline case in visibility terms. The prolonged speed check showed average speed to be over 30mph and therefore a visibility splay which cannot be achieved in this location is required. Refusal is therefore recommended on the basis that adequate visibility splays cannot be achieved to the detriment of highway safety.
- 7.18 Essex County Council **Archaeological Officer** has no recommendations.
- 7.19 The **Environment Agency** has no additions to make to its earlier comments.
- 7.20 **Anglian Water** repeats its earlier comments.
- 7.21 The **Head of Health, Housing and Community Care** repeats his earlier comments.
- 7.22 **Rayleigh Town Council** repeats its earlier comments.
- 7.23 Rayleigh Civic Society comments that the indicative drawings show a reduction in height of the building but not width. They are still of the opinion that the form and density is out of keeping with the character of the area, detrimental and sets a precedent. In addition, the remaining earlier comments made are considered still to be valid.
- 7.24 **Essex Police** Architectural Liaison Officer reminds the Authority of its duty to consider the impact on potential criminal activity when exercising its functions and that the police service faces a dilemma when deciding how to allocate its resources. Some concern is raised with regard to the security for vehicles parked in the car port area and frontage gates are suggested. The applicant is urged to consider the secured by design scheme.

- 7.25 9 neighbouring occupiers have responded to consultation raising, in the main, the following:
- objections on the basis of bulk and density are not overcome;
 - suggest testing government policy by requiring no car parking spaces;
 - screening walls should be required;
 - proposals contrary to policy H16;
 - disturbance and loss of amenity/pollution due to parking proposals
 - loss of privacy/ sunlight;
 - exacerbate existing poor road and traffic conditions on Crown Hill (specific accidents referred to)
 - dominant/ out of character;
 - insufficient parking/ overflow problems on Crown Hill;
 - loss of established dwelling which contributes to the character of area;
 - inadequate infrastructure;
 - loss of wildlife habitat

MATERIAL PLANNING CONSIDERATIONS

Access and Highway Safety

- 7.26 Members will note the changing position of the Highway Authority in relation to this matter. Initially, it was suggested that the proposals should be refused on the basis of three reasons. The first was that the proposals would result in the intensification of use of a classified highway where the principle purpose is the free flow of traffic. Secondly it was considered that the appropriate visibility splays, for an area with a 30mph speed limit, could not be achieved and, thirdly, that the provision of parking spaces was inadequate.
- 7.27 The Highway Authority then considered these reasons in more depth. Members who are familiar with Rayleigh and this road in particular will know that, whilst it is a classified road, the location here is close to the town centre and the volume of traffic already present on the road (in this location) is such that it does not always operate in free flowing mode. It has to be acknowledged that the introduction of 12 flat units, in the place of one existing dwelling, will be most likely to introduce more traffic to the road. In terms of overall use of the road however, those additional vehicles will be insignificant in number. It is difficult to see an argument that could be substantiated that the marginal additional traffic load will be unduly harmful on a road which is close to a town centre and which many accept will flow at a limited rate in any event.
- 7.28 With regard to the provision of parking spaces, the Highway Authority conceded that the location is practically the best that one could have in Rayleigh in terms of the availability of public transport. The railway station, with regular train services and the bus terminus, is a short walk to the north west (downhill). The High Street, again served by practically all bus services, is a short walk to the east (uphill).

- 7.29 It also felt that consideration had to be given to flat developments elsewhere in/near the town centre where relaxed parking requirements have been accepted. These include Websters Court (17 flats with 7 spaces (five additional spaces for office use) therefore 0.4 spaces per unit). Permission has also been given for the residential flats at 3-5 London Hill with 12 spaces for 9 flats, 1.33spaces per unit. At this application site we have 14 spaces for 12 units, 1.16 per unit. On the basis of those decisions, the Highway Authority took the view that continuing with a recommendation of refusal on the basis of visibility only would not be sustainable. The currently used standards indicate that in urban locations with good public transport provision 1 space per unit is acceptable.
- 7.30 However, the Authority was persuaded to undertake a further and more thorough speed check of vehicles on the road. This was undertaken in early April 2002 by the placing on speed sensor equipment on the road for a seven day period. This survey revealed that the 85th percentile speed is 34.3mph. (This means that 85% of vehicles using the road were travelling at speeds up to 34.3). The 'wet speed' is a notional reduction in speed that drivers will undertake when conditions are wet. This is calculated simply by subtracting 2.5mph from the above figure, and hence is 31.8mph. It is this 'wet speed' on which recommendations are based.
- 7.31 As the survey showed the current speed of vehicles to be over 30mph, greater visibility splays are required at the access to the development. Although the Highway Authority still remains of the view that the site is a good one in sustainability terms (hence number of parking spaces proposed is adequate) and that the development would not unduly compromise the functioning of the road, it now considers that the issue of visibility is sufficient on which to recommend refusal and that is its current position.
- 7.32 The interpretation of the data from the traffic speed survey has been challenged by the developers agent. The arguments made are that it is inappropriate to consider the speed of traffic travelling in both directions on the road and that a mean average speed should be considered rather than the 85th percentile speed, thus reducing the speed calculations and the resultant visibility requirements.
- 7.33 The Highway Authority has considered these points and its position remains unmoved. In relation to the question of traffic from both directions it indicates that it would be appropriate to consider these separately where the speed of each is significantly different. That is not the case here. With regard to the question of using the mean average figure it refers to Department for Transport and local guidance and advice that the 85th percentile figure is indeed the appropriate measurement. It goes on to justify further the visibility distances required, and demonstrates that, even now some relaxation has been allowed and any further reduction in the distances specified would be inappropriate.

Character and Appearance

- 7.34 Crown Hill has a mixture of styles and forms of development. Houses, chalets and bungalows are all present. Most represent established and often generous dwellings in established and large plots. Towards the east (town centre) there are larger and non residential buildings, the Kingdom Hall, Christ Church and the new flat units at the former Bingo Hall site. To the north west, close to the railway station, there are also larger and non residential buildings eg Philpot House, the commercial building opposite the rail station. There are also some three storey dwellings with garaging at ground floor (nos 44, 44a and 44b). Despite the activity in the area of the site generated by the road traffic, it is considered that the character of it is most closely established by the residential nature and scale of the buildings in the immediate area.
- 7.35 Although both Structure Plan and Local Plan policies support the intensification of development (BE1 and H19), it is considered that a building of the size that would be required to accommodate 12 flats would be out of scale with the other buildings in the locality of the site, by virtue of the frontage width and height. Whilst some of the existing dwelling buildings in the area are substantial, and that takes into account the scale etc of the semi-detached buildings, there are none of the frontage scale proposed here.
- 7.36 In addition, whilst this site is located between two of the taller dwellings on the road, the height of the building proposed will still be greater than these. In addition, it is considered there would be a significant and unacceptable impact as a result of the scale of the building over which the height of it would be apparent. As indicated, there are three storey dwellings on the road, but these are different from that proposed in that the scale is far less (they are single dwellings). Other larger buildings are more independent from the surrounding residential character of the road.
- 7.37 This application is in outline form with design and external appearance of the building reserved at this stage. Whilst the indicative drawings indicate that provision of rooms in the roofspace, it is considered that there is currently insufficient information submitted to demonstrate that the proposed number of flats can be achieved by such an arrangement. This is because of the reduced space available in the roofspace. If the Authority were minded to grant permission for the number of residential units proposed here, on the basis of the visual and character impact that the indicative drawings demonstrate, then it needs to be satisfied that the proposals can actually be implemented on that basis.

Residential Amenity

- 7.38 The proposed building is shown to have a main depth of 15m. Whilst this is deeper than the adjacent dwellings at 28 and 32 Crown Hill, the building has been positioned so that this additional depth (of 4 to 5m) is partly to the rear and partly to the front of those neighbours. The submitted plans are not entirely consistent, in that the depth shown on the internal layout plans is not represented fully on the site layout plan. The implication of this is that the relationship with the neighbouring dwellings is not accurately shown. However, taking the worst position, it is quite possible for the new building to be moved slightly backwards within the plot such that the additional depth of it has no unduly dominating impact on the existing neighbouring properties.
- 7.39 In addition, it would not breach the criteria used by the Authority in relation to the loss of daylight and sunlight. considering extensions. This assist by analogy the building can be situated such that it does not breach a line drawn at 45 degrees from the closest ground floor windows to habitable rooms of the adjacent properties. It is the case then that no credible or sustainable argument could be made in relation to the undue loss of daylight or sunlight. That is taking into account the location of the building in relation to the neighbouring dwellings and the path of the sun during the day.
- 7.40 In terms of privacy, the building would form a conventional neighbouring relationship with the adjoining at 28 and 32 Crown Hill. That is, the overlooking would be restricted to that which can frequently be had from one dwelling over the garden of the adjoining neighbouring dwelling. Whilst the building will have accommodation at first and second floor, again it is difficult to see how any argument can be made against this impact. Side windows are shown to kitchens, adjacent to no 32. It could be required that these be obscure glazed, especially given that kitchens to other flats within the building have no windows. To the other side of the proposed building no windows are shown, it is not considered there will be any direct inter-relationship problems with the building at no 28 therefore.
- 7.41 Lastly the issue of the provision of the parking to the rear of the building is to be considered. Proposed are sunken parking spaces within car ports. It is considered that sufficient treatment could be applied to this scheme of parking, such as full enclosure to the parking area backing onto the adjacent gardens, and intervening landscaping, such that amenity impact would be kept to an acceptable minimum.

CONCLUSION

- 7.42 Careful consideration of the matter by the Highway Authority, including a prolonged vehicle speed survey has indicated that it does not appear that land is within the control of the applicant to provide the necessary visibility splays for traffic exiting the site. Whilst there was initially concern that the vehicles using the site would have a detrimental impact on the operation of the Crown Hill road, and that parking spaces were insufficient, it is now considered that the proposals do not have undue impact in relation to these matters.

- 7.43 Whilst the proposals are not considered to result in loss of privacy or any direct loss of amenity implications for neighbouring occupiers, it is considered that the bulk and scale of the building proposed, along with the uncertainty that the accommodation proposed can be provided within it, is such that it has a significant and unacceptably detrimental impact on the character and appearance of the area.

RECOMMENDATION

- 7.44 It is recommended that this Committee **RESOLVES** to **REFUSE** planning permission for this proposal on the basis of the following reasons:
- 1 It appears to the Local Planning Authority that, as far as can be determined from the submitted plans, the applicant does not appear to control sufficient land to provide a traffic visibility splay equal to the reasonable stopping distance of oncoming vehicles at ambient traffic speed. The lack of such visibility would result in an unacceptable degree of hazard to all road users to the detriment of general safety.
 - 2 The Local Planning Authority is of the view that any building of a form that can accommodate the development proposed will be of a scale, size and bulk that it is significantly out of character with the other existing forms of development in the vicinity of the site and which determine the current visual character of the area. As a result the development is considered to have a significant and unacceptably harmful impact on the current visual character of the area of the site. The Local Planning Authority is also of the view that there is potential for this impact to be exacerbated, as there is currently insufficient information provided to it to demonstrate that the proposed amount of accommodation can actually be provided within the form of building currently illustrated in the indicative drawings provided and within the siting proposed.

Relevant Development Plan Policies and Proposals:

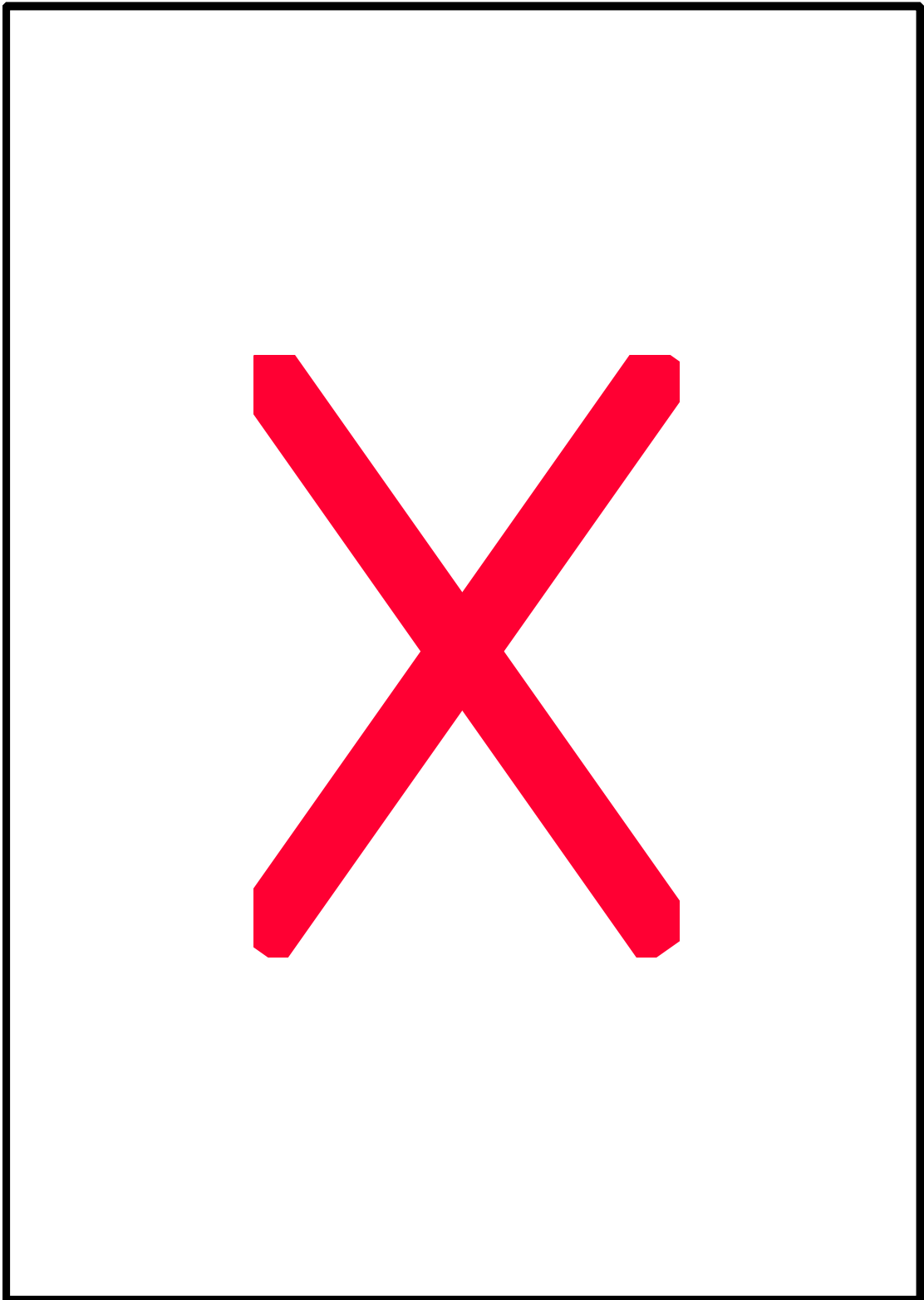
Rochford District Local Plan First Review H1, H2, H11, H16, H19, H24, TP15

Essex and Southend-on-sea Replacement Structure Plan CS1, CS2, BE1, H1, H2, H3, H4, T12



Shaun Scrutton
Head of Planning Services

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



TITLE : **02/00798/FUL**
ERECT TWO STOREY BUILDING COMPRISING 8NO. FLATS
(DEMOLISH EXISTING DWELLINGS)
72-74 THE APPROACH RAYLEIGH

APPLICANT : **MR M D GATRELL**

ZONING : **RESIDENTIAL**

PARISH: **RAYLEIGH TOWN COUNCIL**

WARD: **GRANGE**

PLANNING APPLICATION DETAILS

- 8.1 The application site lies on the corner of The Approach and Landsdowne Drive, and currently accommodates a pair of semi-detached dwellings.
- 8.2 The application proposes the demolition of the existing dwellings and the erection of a two storey block comprising 8no. flats. Seven of these would have two bedrooms, one would have a single bedroom.
- 8.3 The building would be L-shaped, fronting both The Approach and Landsdowne Drive.
- 8.4 A total of 8no. parking spaces to serve the development.
- 8.5 Members will recall a number of earlier applications for flatted development on this site, two of which were refused permission. An appeal against one of these decisions was recently dismissed (ref. 01/00871/OUT) and the discussion below examines this decision in some detail.

RELEVANT PLANNING HISTORY

- 8.6 01/00256/OUT – Erection of a block of 10no. flats - REFUSED
- 8.7 01/00871/OUT – Erection of a block of 8no. 2-bed flats - REFUSED, APPEAL DISMISSED
- 8.8 02/00395/FUL - Erection of Part Three Storey Block containing 8 flats - WITHDRAWN

CONSULTATIONS AND REPRESENTATIONS

- 8.9 The application has been subject to two rounds of consultation and notification, firstly when the application was received and secondly upon receipt of revised plans.

First Round

- 8.9 **Rayleigh Town Council** object to the application as it is considered to be an over development of the site and visually intrusive
- 8.10 **County Surveyor (Highways) - *de minimus***
- 8.11 **Rayleigh Civic Society** considers the proposal by reason of its bulk and size out of character with the area. In its opinion the site is not large enough to accommodate the proposed development and would worsen the existing substandard situation and reduce the privacy of residents in Landsdowne Drive.
- 8.12 **Anglian Water** – recommends a condition requiring the approval of surface water/foul drainage
- 8.13 **Police Crime Reduction Officer** - no objections, makes advisory comments regarding screening, lockable gates, lighting and doors/windows
- 8.14 **Head of Housing Health and Community Care** - considers that there is a potential for nuisance arising from the proximity of the development to the railway line that may give rise to disturbance to residents of the flats. If Members are mindful to approve the application, a number of informatives are recommended, dealing with burning of waste on site, the glazing of the windows, SI16 (control of nuisances), together with an investigation of the site to ensure it is free from any significant levels of contamination.
- 8.15 **Buildings/Technical Support (Engineers)** - notes surface water flooding experienced in area, particularly at the rear of No.1 Landsdowne Drive. Section of The Approach in front of the site is unadopted and unmade surface.
- 8.16 A total of four letters have been received objecting to the proposals on the following broad grounds:
- Loss of light to surrounding properties
 - Loss of privacy to surrounding properties
 - Increase in noise, air pollution and rubbish
 - Devaluation of property
 - Building will be overbearing and dominant in street scene
 - Bulk and mass out of character with existing development
 - Will result in further traffic congestion
 - Overdevelopment
 - The overall number of schemes in The Approach will change the character of the street

Second Round

- 8.17 **Rayleigh Town Council** repeats its previous objection to the scheme

- 8.18 **Rayleigh Civic Society** repeats its previous objection to the scheme
- 8.19 **County Surveyor (Highways) - *de minimus***
- 8.20 Five further letters of objection were received from local residents, which broadly restate the objections of the letters received earlier. Several of the letters do, however, refer to the appeal decision, considering that this rules out the possibility of flats on this site. The matter of drainage is also raised. One of the letters queries the accuracy of the drawings and, consequently, the size of the amenity area shown.
- 8.21 A petition with 41 signatories has been received, objecting to the proposals on the following grounds:
1. Not in keep with the area
 2. Overcrowding of the site
 3. Increase in traffic
 4. Increase in pollution
 5. Increase in noise
 6. Invasion of privacy

MATERIAL PLANNING CONSIDERATIONS

- 8.22 Policies H11 and H16 of the Local Plan, together with Policies CS1, BE1 and H2 of the Replacement Structure Plan provide a policy basis for determination of the application.
- 8.23 The key material considerations in this case are considered to be:
- The acceptability of flatted development in The Approach
 - The compatibility of the proposed development with existing development in The Approach, Landsdowne Drive and Swallow Close
 - The effect upon the amenities of the nearest neighbours
 - Car Parking
 - Traffic
 - Drainage
- 8.24 The recent appeal decision also constitutes an important material consideration, providing a view upon all of the matters listed above.
- 8.25 **The acceptability of flatted development in The Approach**
Members will recall a number of recent applications for flatted development on this site and, indeed, in The Approach generally. However, none of these have been refused on the basis that flatted development would be inappropriate in The Approach.
- 8.26 The introduction of flatted development into The Approach was considered by the Inspector dealing with the recent appeal on this site. His conclusion, having first noted the variety of house types in the road, was as follows: *'whilst none of these [house types] appear to feature flats, I do not consider the introduction of this type of residential accommodation could be judged to have an adverse effect for that reason.'*

- 8.27 It is also pertinent to note the government guidance espoused in PPG3, paragraph 10 of which states:
- 8.28 *'The government believes that it is important to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours. Local Planning Authorities should encourage the development of mixed and balanced communities: they should help to ensure a better social mix by avoiding the creation of large areas of housing of similar characteristics.'*
- 8.29 For these reasons, it is considered that the introduction of purpose-built flats into The Approach is acceptable in principle.
- 8.30 **Compatibility in the Street Scene**
Whereas the existing dwellings on the site front The Approach, the application proposes an L-shaped building, fronting both The Approach and Landsdowne Drive. Moreover, whilst the existing dwellings are set back some 7.5m from The Approach and 10m from Landsdowne Drive, the application proposes a building situated 4.4m (min) from The Approach and 2.6m (min) from Landsdowne Drive.
- 8.31 Clearly then, the siting of the building differs from that of the existing building. The question though, is whether such a siting is harmful to the street scene.
- 8.32 Looking at existing development in The Approach, it is apparent that there is no rigid 'building line.' Some properties are set back with front gardens to the fore, other properties virtually front onto the pavement.
- 8.33 With regard to Landsdowne Drive, properties are generally set back from the road and have front gardens of perhaps 7m. (It should be noted that Landsdowne Drive bends towards its junction with The Approach and whilst the original dwelling is set back by 7m, a single storey garage extension to the side projects towards the road, reducing this distance to 3.8m. However, this element is not prominent in the street scene, and it is not considered that it assists in the consideration of the application one way or the other.)
- 8.34 Looking at the recent appeal decision, it is difficult to glean much that assists in consideration of the current application. The Inspector concluded that *'the existing semi-detached houses on the appeal site are angled away from houses in Landsdowne Drive, therefore have their backs to that area and are accessed over a short cul de sac. For these reasons I consider that the visual relationship between the appeal site and the housing in Landsdowne Drive is not a critical consideration in this case'*; and that, *'the proposal would not in my view contravene any significant or well established building lines in the area,'* however, given that the appeal building had a different footprint and siting relative to the current proposal, it is difficult to draw much from these observations.

-
- 8.35 What should be emphasised, however, is that the Inspector found the scale/siting of that building acceptable, and dismissed the appeal solely for reasons relating to overlooking. Indeed, in these regards the Inspector appears generally supportive of the scheme, drawing attention to the *'wide variety of house types in the immediate vicinity'* and stating that the development would *'add to the existing diversity of housing that is already a notable feature of this residential area, and would replace housing which is unexceptional in its own right and which makes only a modest contribution to local visual quality.'*
- 8.36 In street scene terms, the site's corner location is considered the most important factor in determining the compatibility of the building's siting. Whilst due regard must be paid to the prevailing character of both adjoining streets, it is considered that the location of the site is such that it 'reads' as an individual site, rather than an integral part of either street. Certainly, it is not considered that either street prescribes a specific building line in respect of the application site.
- 8.37 Corner sites often offer the potential to accommodate 'landmark' buildings that provide visual interest and character to the street as a whole. This is considered to be true in this case.
- 8.38 Having regard to the above and, subject to consideration of the scale of the building, it is not considered that the siting of the building would be injurious to the character of the street scene.
- 8.39 The application as originally submitted proposed a building approximately 9m in height, with a half-hipped roof and front gable feature. Whilst 9m is not unusually high for a dwelling with a traditionally steep pitched roof, the site is situated on higher land relative to Landsdowne Drive, and the overall scale of the building was considered excessive.
- 8.40 The revised plans before the Committee illustrate the height of the building reduced to 8.3m (a relatively modest height for a two storey building) and the slab of the building articulated to take account of the reduction in ground level on the side of the site adjoining The Approach. It is considered that these amendments result in a building that takes account of the relative height and scale of properties in Landsdowne Drive. The revised plans also illustrate the use of a hipped roof, which, again, will also reduce the visual mass of the building.
- 8.41 With regard to the building's presence in The Approach, it is noted that the most dominant feature at this end of The Approach is currently the terrace of properties in Swallow Close that lie immediately to the west. These are set on appreciably higher ground/slab levels than the existing dwellings on the application site. The proposed flats will be seen against the backdrop of these buildings.
- 8.42 Overall, it is considered that the revised plans result in a building that will not be unduly dominant in the street scene, a building that will make a statement but not, it is considered, a negative one.

8.43 Effect on Amenities of Neighbours

To consider the issue of overlooking, the Council employs the guidance of the Essex Design Guide, which has been adopted as supplementary planning guidance.

- 8.44 In cases where the backs of houses are at more than 30 degrees to one another, the minimum separation between properties should be 15m. The Design Guide notes that the 15m should be measured from the nearest corner of the dwelling.
- 8.45 It is important to the note that the distance between the existing semi-detached dwellings on the application site and 1 Lansdowne drive is 14m, with a total of four windows facing towards that property. By today's standards then, this arrangement is substandard and is considered to result in a loss of privacy to 1 Lansdowne Drive.
- 8.46 The application recently dismissed on appeal proposed a building containing eight windows at first floor facing towards 1 Lansdowne Drive, and sited 300mm closer to that dwelling than the existing building. The Inspector's conclusion was that the appeal proposal would materially worsen the existing substandard situation, and he dismissed the appeal on this basis.
- 8.47 In the current application, a total of four windows are proposed in the rear elevation of the building, as with the existing building. However, the building would be situated 15m from 1 Lansdowne Drive in compliance with Essex Design Guide standard.
- 8.48 It is therefore concluded that the proposal would actually be an improvement over the existing situation, and would comply with the Council's adopted standard. The proposal can, therefore, be clearly distinguished from the proposal recently dismissed on appeal.
- 8.49 With regard to the impact on properties in Swallow Close, no first floor windows are proposed in the end elevation of the building closest to them. Moreover, the windows in the return of the building would be situated more than 25m from them, and comply with the normal back-to-back distance applied in such situations. The proposal is therefore considered acceptable in this regard.
- 8.50 With regard to whether the scale or siting of the proposed building would have a detrimental impact upon neighbouring occupiers, the following points are considered pertinent.
- 8.51 Firstly, it is noted that the end elevation of the building closest to properties in Swallow Close would be the same distance from them as the existing dwelling and would be 7m in height, a slight reduction relative to the existing dwelling.
- 8.52 Secondly, with regard to the impact on 1 Lansdowne Drive, as noted above the part of the building facing towards that property would be set 1m further away than the rear of the existing dwellings. Whilst the return of the building would be situated somewhat closer, this part of the building would flank onto the flank of 1 Lansdowne Drive, in fact the single storey garaging element of that property, a common and wholly acceptable relationship.

8.53 **Car Parking and Traffic Issues**

Neither of the previous applications for flatted development on this site were refused because of parking or traffic issues. The outline scheme recently determined on appeal for 8no. 2-bed flats proposed a total of 12 spaces, although it was conceded that this could reduce to 8-10 spaces to comply with highway requirements.

8.54 The Inspector dealing with the recent appeal concluded that 'the site is well placed to take advantage of public transport connections and town centre services' and that the scheme included what he considered to be adequate parking provision.

8.55 The current application proposes a total of 8 spaces.

8.56 The Council's adopted parking standards (as set out in the Local Plan) require 1.5 spaces per flat, which would result in a demand for 12 spaces in this case. However, the Council's emerging standards, which were produced against the background of government guidance that seeks to reduce parking standards in areas of high accessibility, require a total of 8 spaces.

8.57 It is considered that the site is located in a central location to which the lower standard should be applied and, indeed, this view is consistent with the conclusions of the recent appeal Inspector.

8.58 The application of this standard would also be consistent with other recent decisions in Rayleigh and elsewhere in the District.

8.59 This said, the current parking layout is not considered acceptable as certain of the spaces do not provide satisfactory pedestrian visibility. However, it is considered that an acceptable parking layout can be achieved on the site, and that the approval and provision of this can be the subject of a planning condition.

8.60 In their representations, many local residents refer to the traffic congestion that occurs in The Approach at peak times. The question though is whether the application proposal would materially worsen this congestion. Whilst the earlier applications were not refused by the Council for traffic reasons, the appeal Inspector nevertheless considered this matter in his Decision Letter, concluding as follows:

'Whilst it is probable that the appeal proposal would increase traffic movement in the area, in my view the level of increase would be modest given the nature of the proposed development. Given the very close proximity of the appeal site to the railway station and other public transport, I consider it improbable that the redevelopment would add to traffic congestion during peak commuter periods.'

8.60 The current application proposes the same number of flats as the appeal application and, as previously, it is not considered that an objection could be substantiated on traffic grounds.

8.61 Drainage

This issue of localised flooding of adjacent sites has been raised in representations and, indeed, is noted by the Council's own engineer.

8.62 This matter was also raised in respect of the appealed application, and the Inspector stated as follows:

'Some reference was also made to localised drainage problems in the immediate vicinity of the appeal site. However, no evidence was provided indicating the nature of this concern, how it might be overcome or what relationship this might have to the redevelopment proposed. In these circumstances, I do not consider that the proposal could be resisted in these terms. In any case, conditions could be attached to a planning permission requiring agreement between the parties on surface water and foul drainage to be achieved and implemented as part of the overall development.'

8.63 In respect of the current application, Anglian Water again raises no objection, subject to the approval of surface water and foul drainage. Subject to such conditions, the proposal is considered acceptable.

CONCLUSION

8.64 The application proposes the erection of a two storey block containing 8no. flats, and follows the recent dismissal on appeal of an earlier scheme proposing 8no. flats, ref. 01/00871/OUT.

8.65 Whilst the proposed building is actually larger than building recently dismissed on appeal, that appeal was not dismissed for reasons relating to the building's scale or siting. Indeed, in his decision letter, the Inspector appears positive towards these aspects of the scheme.

8.66 The site is situated on a prominent street corner, in a road that contains a diverse mix of house types and scales. It is considered that the site can reasonably accommodate the building now proposed, and that it would not be harmful to the street scene.

8.67 With regard to the impact upon neighbours, it is noted that the existing dwellings on the site result in the overlooking of 1 Landsdowne Drive. On the other hand, the proposed building would comply with the Council's adopted standards in terms of separation and, indeed, would contain less windows in its rear elevation than the existing dwellings. With regard to impact upon dwellings in Swallow Close, the proposal would not lead to overlooking. Moreover, the separation between the proposed building and the backs of these houses is the same as exists now. In conclusion, then, it is considered that in certain regards the proposals would actually be an improvement upon the existing situation.

8.68 Overall it is considered that the proposal complies with the Council's standards, including the emerging parking standards. Moreover, it is considered that the proposal is consistent with PPG3 advice in terms of making most efficient use of urban land and creating mixed communities.

RECOMMENDATION

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

- 1 SC4 Time Limits (Full)
- 2 SC9A Removal of Buildings
- 3 SC14 Materials to be Used
- 4 SC23 PD restricted Obscure Glazing
- 5 SC50A Means of Enclosure
- 6 SC59 Landscaping Design
- 7 SC74 Surface Finish
- 8 SC75 Parking & Turning Space
- 9 SC84 Slab levels specified
- 10 SC90 Surface Water Drainage
- 11 SC91 Foul Water Drainage

Relevant Development Plan Policies and Proposals:

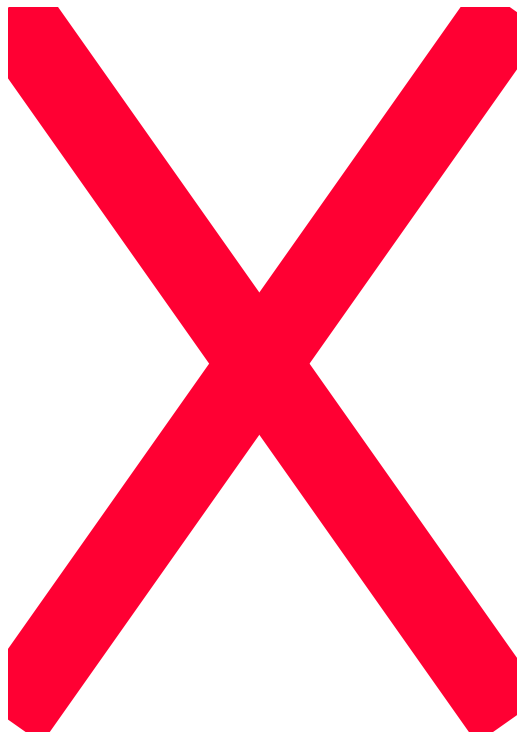
Rochford District Local Plan First Review H11, H16

Essex and Southend-on-sea Replacement Structure Plan CS1, H2, BE1



Shaun Scrutton
Head of Planning Services

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



CODE OF CONDUCT FOR PLANNING MATTERS

GENERAL PRINCIPLES

Members and Officers must:-

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

In Committee, Members must:-

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

Members must:-

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

Officers must:-

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