



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
PLANNING SERVICES COMMITTEE 22 APRIL 2004**

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 22 April 2004**

### **SCHEDULE ITEMS**

- |   |                                                                                                                                                                                                             |                   |         |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------|
| 1 | 04/00120/OUT<br>Outline Application for 2-bed Bungalow (No Vehicular Access and No Car Parking)<br>Land Rear of 44-46 Castle Road Rayleigh                                                                  | Mrs Deborah Board | PAGE 4  |
| 2 | 04/00054/FUL<br>Siting of Modular Building to Provide Reception and Interview Facilities for Council Offices. (To Meet Requirements of New Disability Access Laws)<br>7 South Street Rochford               | Mrs Deborah Board | PAGE 11 |
| 3 | 04/00171/GD<br>Replace Existing Flat Roofs With Pitched Roofs to Bungalows 1 and 2 and 1-9 (inclusive) White City Foulness<br>1 and 2 and 1-9 (inclusive) White City Foulness                               | Mrs Deborah Board | PAGE 16 |
| 4 | 04/00029/FUL<br>Redevelopment to Form 66 Assisted Living Apartments for the Frail and Elderly, Staff Accommodation, Communal Facilities, Access and Car Parking<br>Land Adjacent 21 Ashingdon Road Rochford | Mr Nick Barnes    | PAGE 19 |

**Any Items Referred by Members from Weekly List Nos. 721 & 722.**

## **PLANNING SERVICES COMMITTEE - 22 April 2004**

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### **Ward Members for Committee Items**

#### **FOULNESS AND GREAT WAKERING**

Cllr T E Goodwin

Cllr C G Seagers

Cllr Mrs B J Wilkins

#### **ROCHFORD**

Cllr Mrs S A Harper

Cllr D A Weir

Cllr Mrs M S Vince

#### **WHITEHOUSE**

Cllr S P Smith

Cllr P F A Webster

**TITLE :**                    **04/00120/OUT**  
**OUTLINE APPLICATION TO ERECT TWO BED BUNGALOW**  
**(NO VEHICULAR ACCESS AND NO CAR PARKING)**  
**LAND REAR OF 44-46 CASTLE ROAD, RAYLEIGH**

**APPLICANT :**            **MR AND MRS D BELL**

**ZONING :**                **RESIDENTIAL**

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

**WARD:**                  **WHITEHOUSE**

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#### **PLANNING APPLICATION DETAILS**

- 1.1    The application seeks outline planning permission for a detached bungalow on land to the rear of 44-46 Castle Road in Rayleigh. The site is within the residential area within the Rochford District Local Plan First Review.
- 1.2    The application is for outline planning permission to erect a two-bed bungalow with no vehicular access to the rear of 44 – 46 Castle Road, Rayleigh. The site is located on backland at the rear of numbers 44 – 46 Castle Road. The site is within a designated residential location. A mixture of different style properties surrounds the site with two storey houses to the north of the plot on Castle Road and to the south chalets and bungalows in Hilltop Close.
- 1.3    Access to the site would be pedestrian only via a public footpath, which runs from Hilltop Close through to Castle Road. The footpath is well used by pedestrians walking to Rayleigh town centre. Opposite the application site there is a double garage and an electricity sub-station that are accessed via this footpath.
- 1.4    The current application site is a smaller plot than that considered under previous planning applications, not including the garden of 42 Castle Road. The application proposes no vehicular access with just a pedestrian access from the footpath between Castle Road and Hilltop Close.

#### **RELEVANT PLANNING HISTORY**

- 1.5    03/00101/OUT - Outline Application to Erect Two Bed Bungalow (No Vehicular Access), *Appeal Allowed*
- 1.6    00/00662/OUT - Outline Application To Erect Detached Bungalow, *Appeal Dismissed*

- 1.7 99/00792/OUT - Erect One 3-Bed Detached Bungalow With Detached Garage, *Refused*

**CONSULTATIONS AND REPRESENTATIONS**

- 1.8 **Rayleigh Town Council** - object to this planning application. The lack of a vehicular access to the proposed property will result in building materials having to be transported along the footpath from Castle Road, which is narrow and not suitable for heavy contractor lorries. This will create a bottleneck in castle road and will cause traffic congestion. Furthermore, there are two elderly persons complexes and a nursery school nearby and the transportation of building materials on the footpath will therefore be hazardous to the elderly and young children who regularly use it.
- 1.9 **Rayleigh Civic Society** note that the previous application was refused but later allowed on appeal. The reasons given by the Council for refusal in the first instance are still valid and therefore think that the application should be refused.
- 1.10 **County Planner (Archaeological Advice)** note that the proposed development lies outside the historic town of Rayleigh and therefore no archaeological recommendations are made on the application.
- 1.11 **Buildings/Technical Support (Engineers)** – no objections but observe that 150mm public foul sewer under footpath link from Castle Road to Hilltop Close.
- 1.12 **Head of Housing Health and Community Care** has no adverse comments subject to SI16 being attached to any consent granted.
- 1.13 There have been 12 neighbour representations received with the main objections being:
- Disruption from the actual construction of the bungalow;
  - In particular heavy lorries on this regularly used footpath;
  - The proposal will 'box in' neighbouring dwellings;
  - Why build on this land that is not suitable for a property?
  - What will happen if the occupier has a car?
  - The proposal does not have an adequate and satisfactory means of access;
  - The use of heavy vehicles would cause damage;
  - If approved the application would create a precedent that would stop the council controlling backland development;
  - There is no provision for visitors to park;
  - There is not enough alternative parking on street;
  - Do not consider it feasible that the planning authority could successfully impose and enforce a condition prohibiting vehicle access;
  - The planning inspectors decision ignores the use of the car and has no relevance;
  - Site is backland development and contrary to H20.

## MATERIAL PLANNING CONSIDERATIONS

### 1.14 Appeal Decision for Application 03/00101/OUT

1.15 This authority for the following reason refused application 03/00101/OUT:

- *The proposed development without car parking provision does not in the opinion of the Local Planning Authority overcome the adverse effect of the proposal on highway/pedestrian safety and traffic circulation in the vicinity of the site as concluded by the Inspector on the previous appeal (00/00662/OUT) given that the-alley way between 48 and 46 Castle Road affords the sole means of vehicular access to this backland site, the Local Planning Authority consider that vehicles will be attracted to use this route. Even if the applicant did not use it, visitors, callers and tradesmen may well do so. Furthermore, as circumstances of the household change further pressure may arise from occupiers of the dwelling to establish on site car parking. This would be to the detriment of existing users of this pedestrian link to Hilltop Close, in addition to the potential conflict with pedestrians along its length, it could well result in traffic circulation problems and highway danger at the junction of the alley way with Castle Road. The alley way is not provided to current Highway Authority design standards, nor could it be sealed to effectively deny use by vehicles given it is already in such use to a limited degree. Furthermore, it is not under the direct control of the applicant to either seal or deny such use.*

1.16 This application was allowed on appeal with the inspector thinking that the main issue was whether the proposal would lead to significant loss of safety and/or convenience for pedestrian or vehicle users.

1.17 The inspector noted the vehicle access to the site along a narrow alleyway that also serves as a pedestrian access between the housing area to the south and the town centre.

1.18 The inspector was satisfied that the number of extra vehicles using the alleyway to reach the site would *"...not be sufficient to cause a significant loss of safety and/or convenience for pedestrians or vehicle users..."*

1.19 Further he noted that the previous appeal (that was dismissed) proposed on site parking and that as this scheme did not that they are substantially different. *"In the present case there would be no on-site parking and drivers would have to reverse along the alleyway"* and that as such, with no parking and turning or on site parking the access is adequate and satisfactory in terms of policy H20.

1.20 In addition the issues of inconvenience during construction were also noted with the inspector concluding that any inconvenience that my result would be temporary and not a decisive objection to the scheme.

- 1.21 The issue of parking restrictions in the immediate locality was also addressed as part of the appeal. Whilst the inspector noted that the restriction on Hilltop Close may "...sometimes cause inconvenience for residents or visitors to the proposed bungalow..." that there is a public car park available in Castle Road.
- 1.22 More significantly the inspector gave considerable weight to the advice of Planning Policy Guidance Notes 3 and 13, in that local authorities should not require developers to provide more car parking than potential occupiers may require and reducing the need to travel by car. Further it was noted that the site is in close proximity to the town centre with good public transport links and that a condition could be used to ensure that on site parking is not provided at a later date.
- 1.23 In conclusion the inspector suggested a condition to prohibit the formation of a vehicular access, garaging or parking within the site and that this should be reinforced with a condition requiring the erection of a barrier to prevent vehicle access to the site.
- 1.24 **Policy Considerations**  
Policy H20, of the Rochford District Local Plan First Review relates to backland development. This policy states that when considering this type of development regard should be had to the need for satisfactory access and the visual effect of the proposal in relation to the existing dwellings. Policy H24 also states that to safeguard amenity, development likely to significantly damage the character of residential areas will normally not be permitted.
- 1.25 Whilst the current application site is smaller than those for previous applications the siting of the bungalow proposed in this application would still meet the requirements of the spatial standards of policy H11.
- 1.26 In particular the garden area of 165 sq metres is well in excess of the 100 sq metres required. The back to back separation of the proposal, taken from the illustrative plan provided, from the surrounding dwellings would be in excess of 20 metres and is also considered acceptable. The provision of a bungalow on the site would not result in overlooking of the surrounding properties.
- 1.27 The application does not propose vehicular access or parking for the dwelling. The applicant's supporting statement draws attention to the Inspectors decision letter, as outlined above, and states that this revised scheme does not alter any of these aspects.
- 1.28 Rochford District Council's latest car parking standards set out in the Local Plan supplementary planning guidance no.2, January 2003 are written in line with the latest government thinking on car parking provision. PPG3 advocates an average of 1.5 off-street car parking spaces per dwelling. However in urban locations with good access to public transport one space per dwelling is appropriate. Policy TP15 of the Rochford District Local Plan First Review states that new development should provide adequate car parking spaces, which in this case would be one off street car parking space.

- 1.29 Even though PPG3 encourages the use of public transport in urban areas and stresses car parking standards should not be expressed as a minimum there is still a need for adequate access to new developments.

**CONCLUSION**

- 1.30 The application site is smaller than that on previous applications and the appeal decision referred to in this report with the key difference being that the plot size is reduced.
- 1.31 Notwithstanding the above the changes do not alter the acceptability of the proposal, in principle, with respect to the council's adopted spatial standards.
- 1.32 The previous reason for refusal centred on the access and parking arrangements for the site. However the inspector's decision addresses these issues and concluded that the arrangement of no vehicular access and control by means of condition was acceptable.
- 1.33 Therefore, as the current application proposes the same arrangements a refusal cannot be substantiated on this ground.

**RECOMMENDATION**

- 1.34 It is proposed that this Committee **RESOLVES to APPROVE** the application subject to the following conditions:
- 1 SC1 Reserved Matters – Standard
  - 2 SC3 Time Limits Outline – Standard
  - 3 SC50 Means of Enclosure – Full
  - 4 The Details submitted in accordance with condition 1 shall show the finished ground floor level of the bungalow in relation to the natural and finished ground levels of the site.
  - 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order or any order revoking and re-enacting that order (with or without modification), no vehicular access, garaging, parking or turning
  - 6 facilities shall be provided within the application site.  
The development hereby permitted shall not be begun until details of a physical barrier preventing vehicular access to the site have been submitted to and approved by the Local Planning Authority. The barrier shall be erected in accordance with the approved details before the bungalow is first occupied and shall thereafter be retained in the approved form.



**Relevant Development Plan Policies and Proposals:**

H11, H20, H24, TP15, of the Rochford District Council Local Plan First Review

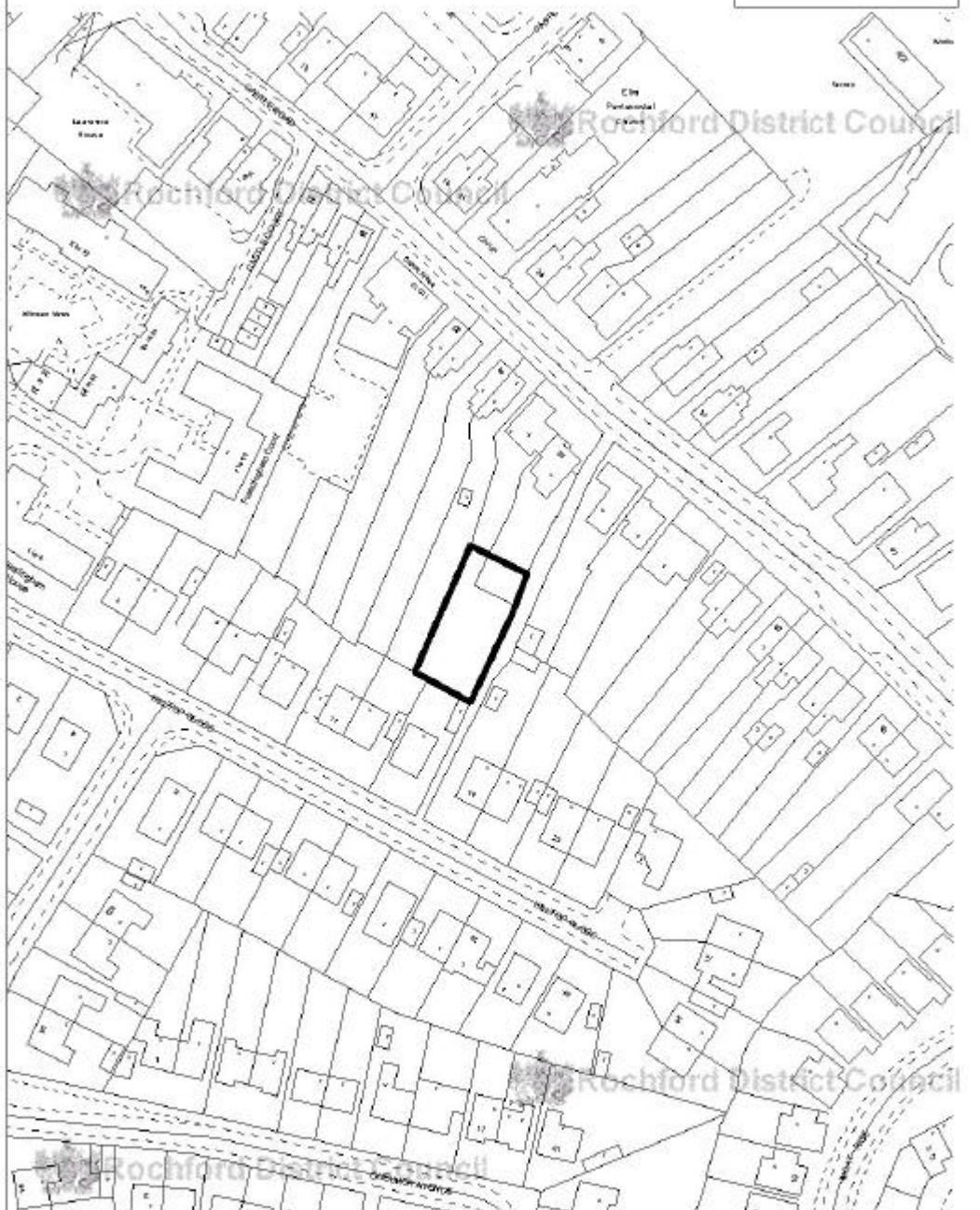
A handwritten signature in black ink, appearing to read 'Shaun Scrutton', followed by a horizontal line.

Shaun Scrutton  
Head of Planning Services

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

04/00120/OUT



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**TITLE :** 04/00054/FUL  
SITING OF MODULAR BUILDING TO PROVIDE RECEPTION  
AND INTERVIEW FACILITIES FOR COUNCIL OFFICES (TO  
MEET THE REQUIREMENTS OF NEW DISABILITY ACCESS  
LAWS)  
7 SOUTH STREET ROCHFORD

**APPLICANT :** ROCHFORD DISTRICT COUNCIL

**ZONING :** OFFICES

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD

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#### **PLANNING APPLICATION DETAILS**

- 2.1 The application seeks permission for the siting of a new modular building to the rear of the Council Offices at 7 South Street, Rochford. The site is located within the Historic Core and Conservation Area of Rochford Town Centre but is annotated specifically as Offices within these designations.
- 2.2 The building would be situated within an existing parking area, and linked to the existing building by means of a glazed corridor. The building would have a footprint of some 15.5 metres by 8.5 metres and a maximum height (highest point of ridge) of 3.6 metres. The building would be entered via the existing access way from South Street.
- 2.3 The supporting letter accompanying the application states that the reason for the application is to provide an accessible reception area for the Council in order to comply with the requirements of the Disability Discrimination Act (DDA) 1995, of which the final rights come into effect in October 2004.

#### **RELEVANT PLANNING HISTORY**

- 2.4 None

#### **CONSULTATIONS AND REPRESENTATIONS**

- 2.5 **Rochford Parish Council** – the design should fit in with the constraints of the conservation area.

- 2.6 **County Planner (Listed Building and Conservation Advice)** does not consider this building an appropriate structure for this location. It has no architectural quality and would have a detrimental effect on the character and appearance of the Listed Building and its setting. The application does not specify how temporary the building is meant to be and the prospect of a temporary modular structure being located here indefinitely is unacceptable in conservation terms. Either a more acceptable building should be proposed or another way found to meet the requirements of the disability laws, recommends permission be refused.
- 2.7 Following the receipt of the applicant's supporting letter a verbal response from the County Planner has indicated that there is not much of the original setting of the listed building remaining and that more sympathetic materials and a strict time limit may mitigate some of the harm of the scheme.
- 2.8 **County Planner (Archaeological Advice)** notes that the proposed development lies within the medieval core of Rochford. As the modular building is unlikely to require foundations it is unlikely to affect archaeological deposits, therefore no archaeological recommendations are made on the application.
- 2.9 **County Surveyor (Highways)** has no objection to the proposal.
- 2.10 **Head of Housing Health and Community Care** has no adverse comments.

## **MATERIAL PLANNING CONSIDERATIONS**

### **The Design of the Proposal**

- 2.11 The proposed structure is basic in design being a modular building with a slack pitched roof. The materials proposed are plastic coated steel facing panels for the walls and metal roof sheeting. No colour or texture is stipulated and this is a matter that can be agreed through condition if appropriate.
- 2.12 The surrounding built form is mixed, with previous extensions to the main office buildings being red brick structure, whilst the residential development of Millview Court and flatted development in Lever Lane are composed of brick and render finish.
- 2.13 Therefore, the proposal is unlikely to sit harmoniously with the surrounding built form, however as commented above (by the County Planner) there is not much of the original setting of the Listed Buildings remaining in this part of the conservation area. Therefore a temporary modular building of the type proposed could be more readily absorbed without causing undue harm. The building would not be visible within the street scene of South Street and there would be limited public vistas from Lever Lane and Millview Meadows.

**2.14 Listed Building and Conservation Issues**

The siting of the building falls within a group of buildings that contributes both to the character and setting of the listed buildings on South Street and also to the character and appearance of the conservation area.

- 2.15 Number 7 South Street is one of the buildings that form the façade on the east side of South Street, which have value both individual and group value. The features of merit are the red brick and plain tile roofs of the buildings as well as sash windows and gauged brick arches. The building has however been unsympathetically extended previously to the rear. The proposed modular building should be assessed against/with these modern additions.

**Disability Discrimination Act**

- 2.16 The supporting letter makes clear that the current reception facilities at Rochford do not comply with the requirements of the DDA and also provide insufficient accommodation for the needs of the council.
- 2.17 The provision of the temporary building is highlighted as part of the council's medium term plans to vacate some of the current offices and provide a disabled friendly reception by October 2004. It is suggested that the provision of a temporary building, such as that proposed, is the most effective solution available to the authority, given the short time constraints involved.

**CONCLUSION**

- 2.18 The design and appearance of the structure proposed are not sympathetic to the surrounding historic built form. Notwithstanding this, the proposal is for a temporary building to meet the requirements of the Council for disabled access for compliance with the DDA.
- 2.19 The modular building is not of a design and appearance that could be supported within the setting of a listed building and in a conservation area in perpetuity. Therefore, given the sensitive location and the immediate requirements of the applicant, a temporary consent of three years is recommended.

**RECOMMENDATION**

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

1 SC47 Temporary Buildings

This permission shall be limited to a period expiring on 22<sup>nd</sup> April 2007 at which time, the Modular Building hereby permitted shall be completely removed from the site and the land restored to its former condition (see Informative below) on or before the expiry date, unless a 'renewal' of this permission has been sought and obtained.

**Relevant Development Plan Policies and Proposals:**

UC1, UC3, UC7, UC15, of the Rochford District Local Plan First Review[

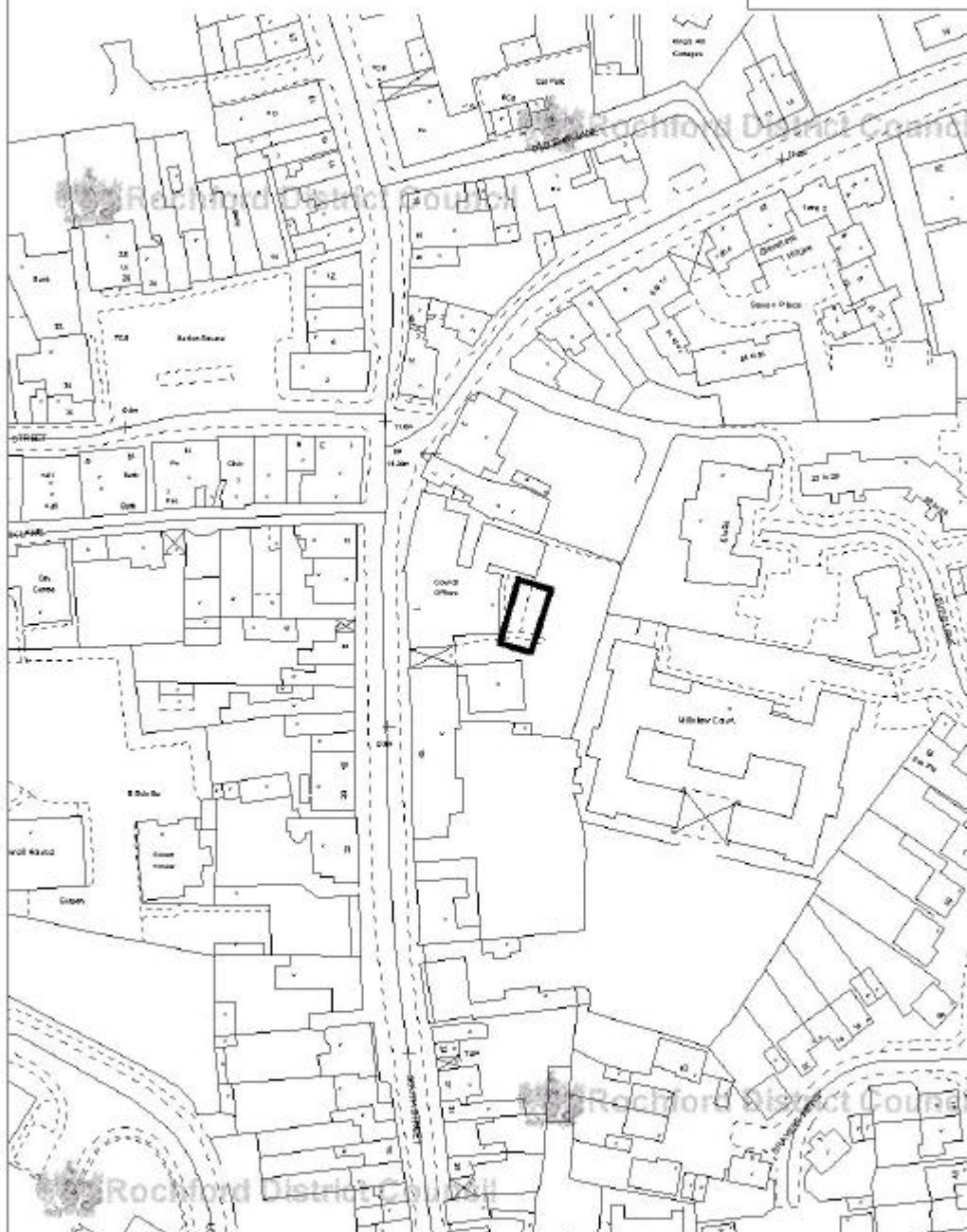


Shaun Scrutton  
Head of Planning Services

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04/00054/FUL



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**TITLE :** 04/00171/GD  
**REPLACE EXISTING FLAT ROOFS WITH PITCHED ROOFS  
TO BUNGALOWS 1 AND 2 AND BLOCKS 1 - 9 (INCLUSIVE)  
WHITE CITY, FOULNESS**

**APPLICANT :** AMEY

**ZONING :** RURAL LAND OUTSIDE OF METROPOLITAN GREEN BELT

**PARISH:** FOULNESS PARISH COUNCIL

**WARD:** FOULNESS AND GREAT WAKERING

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**PLANNING APPLICATION DETAILS**

- 3.1 The application is for the addition of pitched roofs, incorporating roof insulation, to the two bungalows and nine houses at White City, Foulness. These properties are located in a courtyard style development and stand alone as a group of dwellings.
- 3.2 The existing buildings are flat roofed, of white rendered material and seemingly dated from the 1940's. The proposed roofs would be constructed using a lightweight capella roof system that creates the traditional look of clay tiles. The site is surrounded by a number of large trees that would provide extensive screening in spring/summer.

**RELEVANT PLANNING HISTORY**

- 3.3 None.

**CONSULTATIONS AND REPRESENTATIONS**

- 3.4 **Foulness Island Parish Council** – no comments .
- 3.5 **County Surveyor (Highways)** – De minimis.

**MATERIAL PLANNING CONSIDERATIONS**

- 3.6 The supporting statement outlines that the houses on the island have been experiencing problems with the ingress of water and the addition of insulation to reduce problems of condensation within the buildings themselves.
- 3.7 The buildings are located to the far north east of the island. The proposed additions could be viewed from the dwellings in The Chase, to the North, but any other views of the site are limited.



- 3.8 Whilst the proposals would change the character of the group of buildings the changes would be uniform to the group and would have minimal impact on the amenity of the surrounding area. Further the roof forms proposed are well designed and would relate satisfactorily to the existing built form of the dwellings.

**CONCLUSION**

- 3.9 The design of the proposal and its remote location are such that the proposal would have minimal impact on the amenity of the immediate or surrounding locality.

**RECOMMENDATION**

- 3.10 It is proposed that this Committee **RESOLVES** that **NO OBJECTION** be raised to this application.

**Relevant Development Plan Policies and Proposals:**

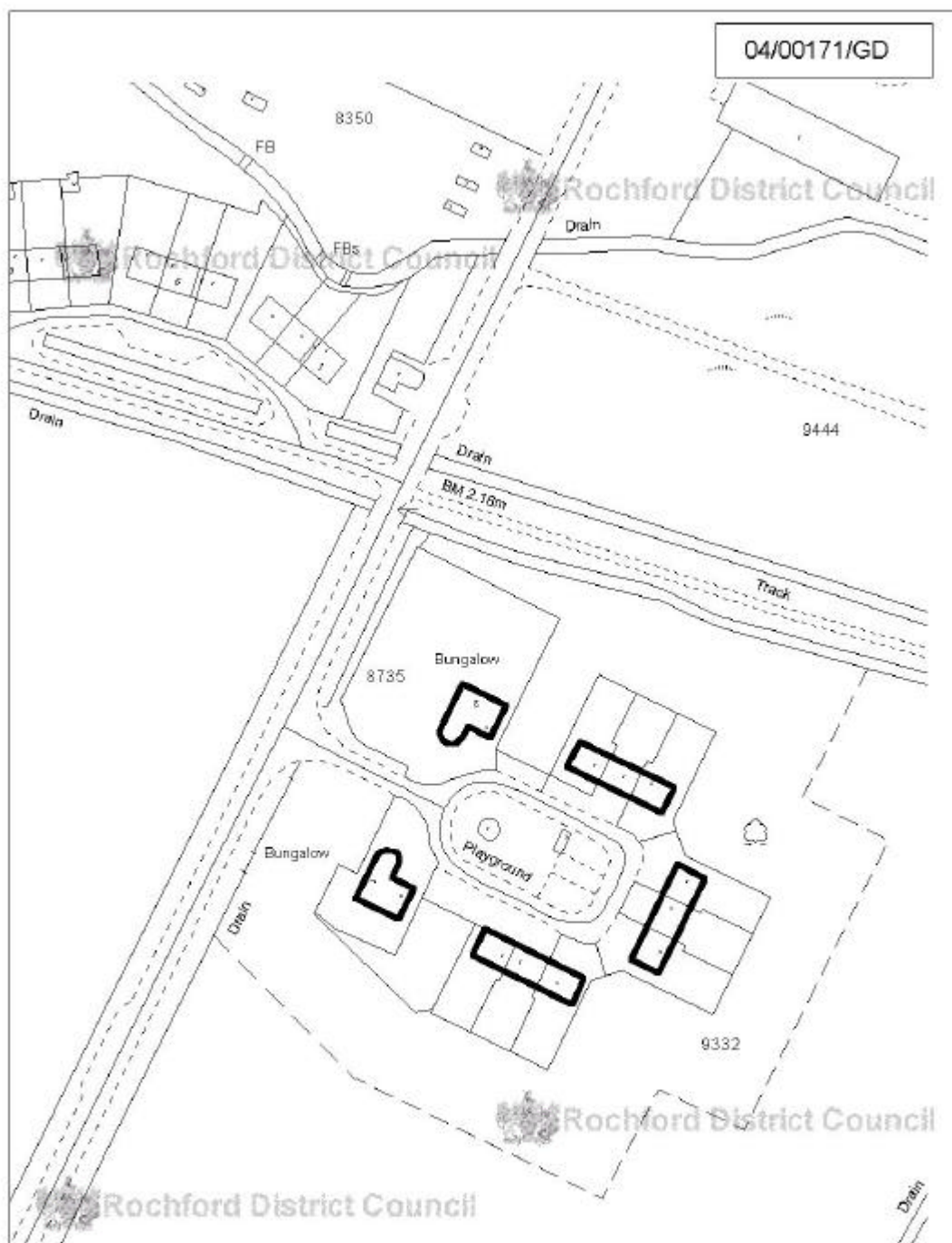
None.



Shaun Scrutton  
Head of Planning Services

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**TITLE :**                    **04/00029/FUL**  
**REDEVELOPMENT TO FORM 66 ASSISTED LIVING**  
**APARTMENTS FOR THE FRAIL ELDERLY, STAFF**  
**ACCOMMODATION, COMMUNAL FACILITIES, ACCESS AND**  
**CAR PARKING**  
**LAND ADJACENT 21 ASHINGDON ROAD**  
**(FORMERLY SCHOOL PLAYING FIELD), ROCHFORD**

**APPLICANT :**            **MCCARTHY & STONE**

**ZONING :**                **PRIVATE OPEN SPACE**

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

**WARD:**                 **ROCHFORD**

#### **SITE AND SURROUNDING AREA**

- 4.1 The application site relates to a roughly rectangular parcel of land (0.7ha) located on the western side of Ashingdon Road. The site is generally level, but with a railway embankment to the rear approximately 5m in height. At the base of the railway embankment and within the application site there is a line of TPO trees, around the remainder of the site is fairly non descript soft landscaping. Adjacent to Ashingdon Road for the length of the sites frontage with the highway is a mature predominantly native hedgerow and trees.
- 4.2 There is one vehicular access to the site that is located at the southern end of the site and provides access to a car park court.
- 4.3 The site is located within the residential part of Rochford and bounded by an elevated railway line to the south west, Ironwell Lane to the north, Ashingdon Road to the northeast and by residential properties to the south east.
- 4.4 The site was formerly used as part of a school complex, and in more recent times as a school playing field and car park, the site is currently not used.
- 4.5 As commented above the site is located within the defined residential area of Rochford and as common with may historic town the built form comprises many differing forms, scales and designs. The dwellings immediately adjacent to the site are two storey single family properties, further from the site are the larger, more massive buildings that comprise the school and hospital. The dwellings to the south west of the site in St.Andrews Road are predominantly detached properties set within sizable plots.

**PLANNING APPLICATION DETAILS**

- 4.6 Full planning permission is sought for the redevelopment of the site to form 66 assisted living apartments for the frail elderly, staff accommodation, communal facilities, access and car parking.
- 4.7 Assisted Living:- This is described by the applicant as a form of 'very sheltered housing' in which 'care support' is provided.
- 4.8 The apartments are to be accommodated within a predominantly three storey building with pitched roof over. The new building is to be positioned towards the front of the site and follows in general the rectangular form of the plot with frontage development along its length. The maximum length of the building is 102m, the maximum depth of the building is 32m, the maximum height of the building to the ridge of the pitched roof is 12m.
- 4.9 The built form is comprised of a number of self contained apartments, specifically designed for frail elderly, linked by corridors, stairs and lifts. All circulation is accessed from a secure main entrance.
- 4.10 The applicant is proposing articulation to the roof and also to the footprint of the building as well as a range of external finishes to help break-up and soften the appearance, mass and bulk of the building.
- 4.11 The application proposes the cessation of the use of the vehicular access to the southern end of the site and the creation of a new access direct from Ironwell Lane. This new access would provide access to a car park court for 23 spaces. The main access/entrance to this building will be from this car park court.
- 4.12 The scheme proposes the retention of all the TPO trees on the site, as well the retention of the soft landscaping within the highway (Ashingdon Road).
- 4.13 The scheme proposes the removal of the boxed culvert to be replaced by an open channel. This is located towards the rear of the plot. This is a requirement of the flood risk assessment that accompanied the application
- 4.14 The scheme is also accompanied by, a design statement, an acoustic report and tree condition survey.
- 4.15 The applicant acknowledges that the number of the flats proposed is greater than the threshold within the Local Plan for the provision of affordable housing. However they contend that given the nature of the proposed use, in effect providing a form of accommodation for an identified need group, then it would provide a form of social housing.

- 4.16 The applicant acknowledges that the redevelopment of this site for their proposed use would prohibit a general house builder from developing the site and therefore there may be a net loss for the Council in terms of the affordable housing element derived from a general house builder scheme. To compensate for this potential loss the applicant has offered a financial contribution to the council to go towards the provision of off-site affordable housing.

**RELEVANT PLANNING HISTORY**

- 4.17 The application site has a long history as a parcel of private open space used in connection with the nearby school. Members will be aware that a replacement school playing field has been implemented within the 'hospital site' which is more accessible for/by the intended users.
- 4.18 98/00309/OUT Outline application to erect 20 Dwellings granted 2002.

**CONSULTATIONS AND REPRESENTATIONS**

- 4.19 **Rochford Parish Council** Concerns about lack of parking spaces for visitors, lack of amenity space for the residents. Also members hope that the crossing facility in Ashingdon Road, will be upgraded, and also that the existing hedge and trees in Ashingdon Road will remain
- 4.20 **Essex County Council Highways:-** Recommends that consent be issued subject to a S106 agreement and conditions being incorporated into the approval. The broad heads of the agreement relate to the bringing Ironwell Lane up to adopted standards, a 3m wide footpath along the Ashingdon Road and a contribution to be made to the community transport scheme in the District. The suggested conditions relate to access, visibility and junction details.
- 4.21 **Buildings/Technical Support:-** development within fluvial flood plain.
- 4.22 **Woodlands/Environmental Consultant:-** The details submitted regarding possible protected species and trees are acceptable subject to appropriate tree protection during the construction phase. This element is to be controlled with an appropriate planning condition, outlined below.
- 4.23 **Head of Housing, Health and Community Care:-** Given the site is bounded by both road and railway then the following conditions be imposed upon any approval, a scheme to deal the dust suppression from the site, amplified music should be controlled, details of sound insulation, extraction and ventilation details should be submitted, details of the proposed lift and associated plant to be submitted, and informatives relating to construction hours and food hygiene.

- 4.24 **English Nature:-** Advises that whilst there is no prior knowledge of protected species at the site however, the presence of protected species at the site would be a material consideration in the planning application. If protected species are suspected then an ecological appraisal of the site should be undertaken.
- 4.25 **Rochford Hundred Amenities Society:-** The crossing of the road for/by frail elderly is not desirable and the proximity to the shops in the applicants statement is somewhat misleading, would not support the loss of the footpath along the roadway at the front.
- 4.26 **Essex Wildlife Trust:-** The hedge along the Ashingdon Road frontage should be adequately protected during the construction phase, and should be retained as this is one of the very view semi natural hedges left in the Town.
- 4.27 **The Environment Agency:-** Confirms that the submitted flood risk assessment meets the requirements of PPG25 and subject to a condition requiring that the developer fully develops in accordance with the flood risk assessment then there is no objection.
- 4.28 **Essex County Council Conservation Advisor:-** The site is adjacent to the Conservation Area boundary, but does not relate to the historic town in any way, and therefore there are no conservation issues in this case.
- 4.29 **Essex County Council Urban Design Team:-** have not objected or recommended refusal of the application but raise the following design issues: More variety of fenestration is required, such as double hung sash windows; more interest is needed at roof level, such as changes of height and the use of chimneys; the designers should avoid introducing gables, as on the north elevation, or mixing hipped or pyramidal roof forms at 30 degree with steeper gables. Also question the suitability of scale and height, the parking spaces Nos. 18-23 should be to the rear of the development rather than be prominent on Ironwell Road, and the building follow the road frontage instead.

#### **COMMENTS FORM LOCAL RESIDENTS**

- 4.30 No. 17 Ashingdon Road supports the principle of frail elderly accommodation but object to three storeys, out of character, two storeys with rooms in the roof would be more acceptable.
- 4.31 A petition of objection has been signed by 9 local residents who are concerned about:- overdevelopment of the site, three storey monoblock, Ironwell Lane will be ruined if this scheme goes ahead, the loss of the only rural lane left in Rochford, access should be retained onto Ashingdon Road, would not contribute to the needs of first time buyers and would lead to additional traffic, loss of outlook, existing trees should remain.
- 4.32 Southwell House Surgery object to the proposal on the following grounds; would stretch existing local medical resources in the area, would have expected greater liaison prior to the submission of the application with regard to existing pressure of patient lists.

- 4.33 7 letters of objection have been received from local residents:- a three storey building would affect the occupiers of the existing properties in the area, loss of sunlight and outlook. Possible traffic problems with hidden access, there have been a number of accidents in the area, the widening of Ironwell Lane is essential, need a footway and lacks off-street car parking to meet the need. Ambulant residents will use local footpaths and crossings that may give rise to danger. Questions whether there will be sufficient services to meet the likely need and loss of power due to problems with the cabling in Ironwell Lane. The hedgerow needs to be protected one of the only historic hedges left in Ashingdon, and an archaeological appraisal of the site needs to be undertaken. Highways conflict with lorries delivering to the Meadowbrook Farm. Rochford is becoming a concrete town with all of its green spaces eroded and its semi rural status being severely damaged, recommend that a tree line should be planted along the rear of the plot in an attempt to mitigate the views from St Andrews Road, a replacement playing field should be provided, devaluation of property values, problems with emergency vehicles accessing the site, congestion in the area is quite severe and how long will the trees to be kept. Also overlooking.

#### MATERIAL PLANNING CONSIDERATIONS

- 4.34 **The Principle:-** Although not allocated for residential within the adopted local plan (private open space), it is allocated for residential within the draft replacement Local Plan and the principle of residential accommodation has been accepted on the site given the outline approval , application reference 98/00309/OUT, issued in 2002 and which remains extant for development.
- 4.35 It is considered that the sites location and proximity to the town centre, public transport links and the existing highway infrastructure are such that the principle of this site being used for 'elderly' accommodation for the numbers proposed is acceptable.
- 4.36 **Street Scene:-** As commented above the principle and the number of flats proposed is acceptable, however what needs to assessed is whether the proposed built form results in material harm to the site, surroundings or the occupiers of the nearby plots/properties.
- 4.37 Given the length of the application site to Ashingdon Road and the previous use as playing field any proposal will to create a new element of street scape in the built form of this part of Rochford, and consequently will be more imposing than the existing characteristics of the site. This in itself is not objectionable and the desire of the applicant to create a new street frontage comprising built form close to the front of the plot is acceptable and has precedent throughout the historic centre and the wider parts of the Rochford residential areas.
- 4.38 The longer range views of the proposed development site are mitigated by the retention of the street side hedgerow and trees and the layout of the existing highways, infrastructure and built form within the area. However the new building will be clearly seen from the nearby properties.

4.39

**Design and Appearance:-** It is considered that the use of articulation to both the roof line and footprint of the building, the use of an additive block form to the elements of the proposal and the use of a range of external finishes all help to maintain an interesting and varied elevations that reduce the visual bulk, scale and mass of the proposal.

4.40

The proposal is predominantly three storey in height throughout the scheme, but due to the design principles outlined in the preceding paragraph it is considered that the principle of three storey in this instance can be readily absorbed into the street scene without giving rise to a materially intrusive form of development.

4.41

It is considered that given the design and external appearance of the proposed elevation onto Ashingdon Road, the highway hedge and trees which are to be retained and effectively soften the impact of the development of this site in the street scene together with a lower site level which helps reduce the height of the proposal from the street and the distances involved (in the region of 20m) and the acceptable integration of the proposal into the street scene

4.42

The proposed will also be seen from the rear of the properties in St Andrews Road, however given the distances involved (in the region of 60m), the elevated railway line between and also the retention of the TPO trees to the rear of the site a refusal based upon the impact on the occupiers of these properties could not be substantiated.

4.43

The proposal is a full three storey with pitched roof over. The size scale and design of the pitched roof may allow for additional accommodation to be created within the roof slope. However it should be noted that there is no proposal for accommodation within the roof slope within this proposal and that to create additional accommodation within the roof slope would require formal planning permission. A condition is proposed preventing such fenestration in the roof.

4.44

**Access:-** The access arrangements for the scheme propose the creation of a new access onto Ironwell Lane and subject to the full compliance with the requirements of the County Highways Officer. Specifically the upgrading of the junction of Ironwell Lane with Ashingdon Road. It is considered that the access arrangements are acceptable.

4.45

The improvements to Ironwell Lane will improve the manoeuvrability and accessibility of all the vehicles likely to be using this roadway, including those not connected with the this development.

4.46

**Car Parking:-** The proposed number of car parking spaces within the proposal complies with the local plan standard and also is equitable with the industry standard for the nature of the proposed use. The applicants have commented that given the client group for the scheme is to be frail elderly within the lower 80's age group then there is less pressure for the need for off street car parking than may be required with a more ambulant clients.



4.47

Given the nature of the proposal a refusal based on the lack of car parking could not be justified.

4.48

**Amenity Space/ Landscaping:-** As the client group is for the frail elderly section of the community the standards for amenity space can be relaxed from those used for general residential units as the pressure to use the amenity space is greatly diminished. The proposal has elements of soft landscaping surrounding the building that is embellished and supported by the existing retained trees and hedges around the site. Both the retained and new soft landscaping and the long road frontage to Ashingdon Road all contribute to an attractive, interesting and stimulating outlook for the particular client group involved.

4.49

The applicant within their submission endorses the issue that from their experience there is very little demand for external amenity space for active or passive recreation. They also confirm that all of their sites as part of a management plan have landscape gardeners that maintain the grounds in good order.

4.50

A refusal based on the lack of amenity space or lack of useable amenity space could not be justified.

4.51

#### **TPO Trees**

The proposal retains the TPO tree within the site, this added to the retention of the hedge and trees along the boundary with Ashingdon Road adds to the 'softening' the appearance of the site and is welcomed.

4.52

**Affordable housing:-** The applicant has offered to the Council a financial contribution (£180,000) to go towards the provision of off site affordable housing. Although the Council has no adopted formula to assess these sort of contributions, nor does it have currently in place a pre defined programme of spending commitment/desires, the principle of seeking infrastructural contributions is well established and supported by Policy HP6 of the Draft Replacement Local Plan. The amount offered is considered to be appropriate given the scale of this development assessed against the scale of development from a general house builder.

4.53

**Highway Hedge:-** The County highway engineers are requesting that a three metre wide shared surface footway/cycleway should be provided along the whole of the site frontage. This request is acceptable in highway safety terms however it is important not to sacrifice the very important highway hedge. A condition is recommended requiring the submission of a site survey of this part of the site and further information that outlines whether the footpath cycleway could be accommodated. If it cannot then it will not be pursued and the hedge will remain.

4.54

**Ironwell Lane:-** The comments from some of the interested parties at the site relate to the loss of the appearance of Ironwell Lane, one of the last rural lanes within this part of Rochford. The improvements to Ironwell Lane as requested by the County Highways Engineer only relate to the junction and the sites frontage with the lane and the remainder of its length will remain unchanged. It is considered that on highway safety grounds and for the ease of use for all users of the lane the highway improvement works are considered to be an essential part of the scheme.

4.55

**Community Transport:-** The County council have requested that the developer make a financial contribution towards the community transport scheme for Rochford. It is considered that given the nature of the proposed use and the sites location to both the town centre and public transport links it would not be reasonable for the Council in this instance to request a contribution. Also, given the contribution already offered in lieu of Affordable housing.

### RECOMMENDATION

4.56 It is proposed that this Committee **RESOLVES** to **DELEGATE** to the Head of Planning Services to **APPROVE** the application, subject to:

- a) appropriate heads of conditions including the following and
- b) a Section 106 Agreement covering the following matters to:
  - i. secure the provision of a contribution (at least £180,000) from the developers for affordable housing elsewhere;
  - ii. require the making-up (including the provision of a 1.8m wide footpath) of Ironwell Lane to an adoptable standard along the length of the site boundary;
  - iii. if practicable and without removing any of the existing frontage trees or hedge require the provision of a cycle track/footway shared surface along the Ashingdon Road frontage.

- 1 SC4 Time Limits
- 2 SC6 Alternative Development
- 3 SC14 Materials to be Used
- 4 SC23 PD Restricted - Obscure Glazing
- 5 The occupation of the units hereby permitted shall be limited to persons aged 60 or over or a widow or widower of such a person.
- 6 SC43 Amplification Prohibited
- 7 SC59 Landscape Design - Details (Full)
- 8 SC60 Tree and Shrub Protection
- 9 SC64A Visibility Splays
- 10 Prior to the first occupation of the building hereby permitted, the new junction with Ironwell Lane, indicated on the approved drawing no. 1176/P001, shall be constructed and provided with a 10 metre radius kerb returned to a carriageway width of 5.5 metres.

- 11 Prior to the first occupation of the building hereby permitted, the existing vehicular access onto Ashingdon Road shall be permanently closed and all vehicular access restricted to the new access via Ironwell Lane.
- 12 SC80 Car Parking Provision
- 13 SC83 Site Levels
- 14 Prior to the commencement of the development hereby permitted, details of the proposed sound insulation scheme for the development, in accordance with Planning Policy Guidance PPG24, shall be submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of the first occupation of the units and maintained for the duration of the residential use of the building.
- 15 SC92 Extract Ventilation
- 16 No windows or velux rooflights in the roof.

**Relevant Development Plan policies and proposals:**

H2, H11, H13, H14, H15, H16, H17, H19, H24, H25, TP15 of the Rochford District Local Plan First Review

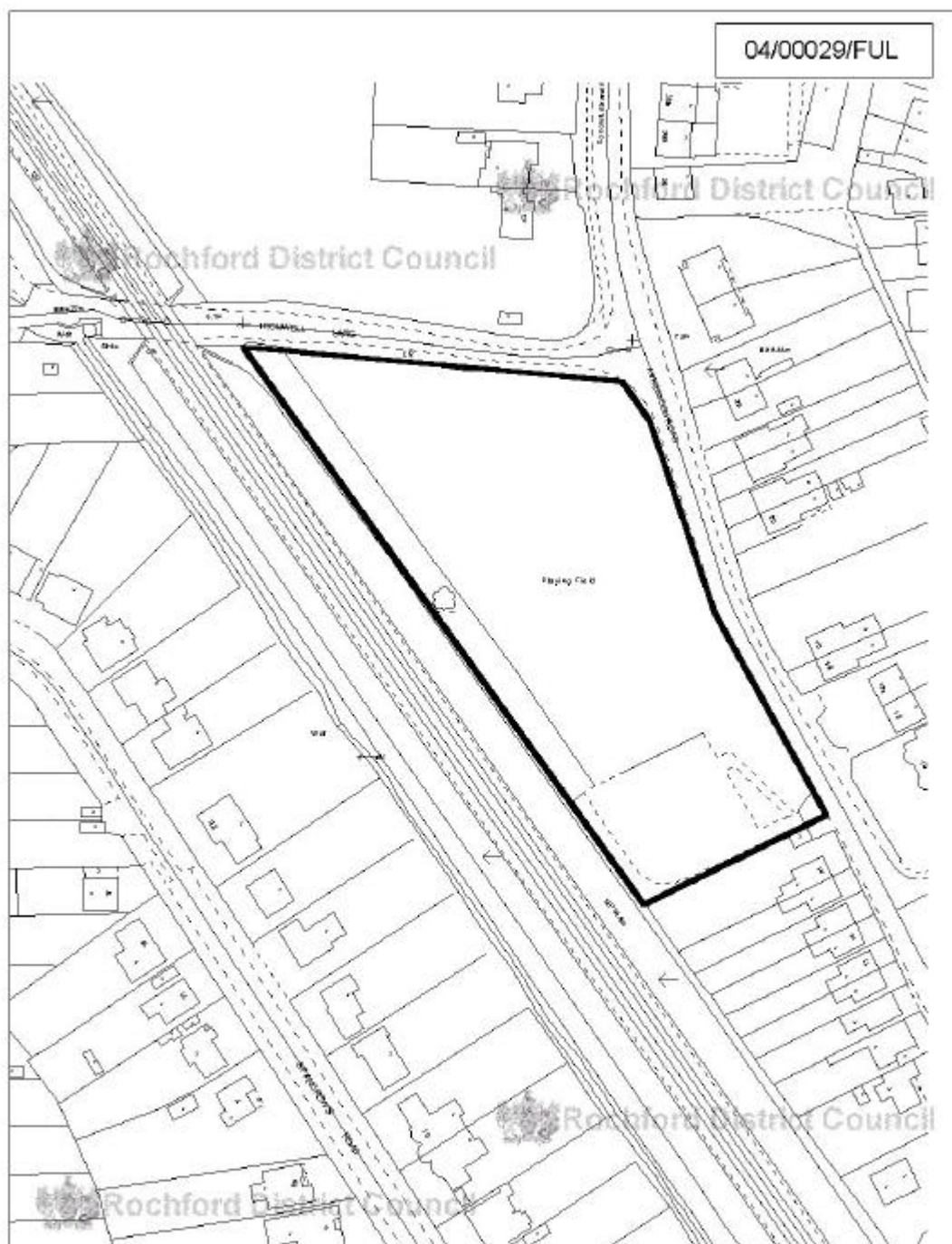
CS2, CS4, CS6, CS8, HP3, HP6, HP7, HP9, HP11, HP12, HP13, NR12 of the Replacement Rochford District Local Plan



Shaun Scrutton  
Head of Planning Services

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



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# CODE OF CONDUCT FOR PLANNING MATTERS

## GENERAL PRINCIPLES

Members and Officers must:-

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

In Committee, Members must:-

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

Members must:-

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

Officers must:-

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