



Rochford District Council

## **SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY PLANNING SERVICES COMMITTEE - 20 October 2005**

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and Local 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.



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## **PLANNING SERVICES COMMITTEE – 20 October 2005**

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### Ward Members for Committee Items

#### **ASHINGDON AND CANEWDON**

Cllr Mrs T J Capon

Cllr T G Cutmore

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

Cllr T E Goodwin

Cllr C G Seagers

Cllr Mrs B J Wilkins

#### **HAWKWELL WEST**

Cllr J R F Mason

Cllr D G Stansby

#### **HOCKLEY CENTRAL**

Cllr K H Hudson

Cllr J Thomass

Cllr Mrs C A Weston

#### **ROCHFORD**

Cllr K J Gordon

Cllr Mrs S A Harper

Cllr Mrs M S Vince



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## **PLANNING SERVICES COMMITTEE - 20 October 2005**

### **DEFERRED ITEMS**

- |    |   |                                |
|----|---|--------------------------------|
| D1 | 05/00563/COU<br>Change of Use of Existing Warehouse to<br>Manufacturing and Retention of Dust Extraction Unit<br>Auto Plas International Ltd Main Road Hawkwell | Mr Leigh Palmer<br><br>PAGE 5  |
| D2 | 05/00427/COU<br>Conversion Of Redundant Farm Building To A<br>Dwelling<br>Brickhouse Farm Fambridge Road Ashingdon  | Mr Mike Stranks<br><br>PAGE 10 |

### **SCHEDULE ITEMS**

- |   |   |                                |
|---|---|--------------------------------|
| 3 | 05/00324/FUL<br>Construction of a Multi Modal Transport Interchange<br>Facility for Southend Airport Railway Station,<br>Including Parkway, Car Park, Access to Southend<br>Road and Associated Highway Works.<br>London Southend Airport Co Ltd<br>Southend Airport Rochford                   | Mr Leigh Palmer<br><br>PAGE 23 |
| 4 | 05/00536/REM<br>Motor Park Development Comprising 7 No. Car<br>Dealerships, Petrol Filling Station and Valeting<br>Centre, with Associated Access, Parking, Vehicle<br>Display and Landscaping.<br>Rochford Business Park Cherry Orchard Way<br>Rochford  | Mr Leigh Palmer<br><br>PAGE 53 |
| 5 | 05/00674/FUL<br>Redevelopment of the Site for a Two Storey Block<br>Containing 11 Self Contained Flats, Single Storey<br>Cart Lodge, Overall Parking for 11 Vehicles, Closure<br>of Access onto Southend Road, Sole Vehicular<br>Access to the Site Via Hockley Rise<br>1 Southend Road Hockley | Mr Leigh Palmer<br><br>PAGE 66 |
| 6 | 05/00679/FUL<br>Revised Application for Three Storey Building to<br>Provide 29 Sheltered Apartments and Three Shop<br>Units.<br>Land North Of Market Square/West Street And West<br>Of North Street Rochford  | Mr Mike Stranks<br><br>PAGE 75 |



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7	05/00735/GD	Miss Catherine Blow	PAGE 84
	Erection of Mobile Building Land At Landwick Gate Bridge Road Foulness		
8	05/00580/GDPNC	Miss Catherine Blow	PAGE 87 (circulated separately)
	Proposed New Ejector Seat Test Facility (Height 48 Metres when Fully Erected) MOD Private And Confidential Bridge Road Foulness		



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**PLANNING SERVICES COMMITTEE - 20 October 2005 Item D1**  
**Deferred Item**

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TITLE :                   **05/00563/FUL**  
                              **CHANGE OF USE OF EXISTING WAREHOUSE TO**  
                              **MANUFACTURING AND RETENTION OF DUST**  
                              **EXTRACTION UNIT**  
                              **AUTO PLAS INTERNATIONAL LTD MAIN ROAD**  
                              **HAWKWELL**

APPLICANT :           **BENCHMARK DOORS LTD**

ZONING :               **EXISTING INDUSTRIAL USE**

PARISH:               **HAWKWELL PARISH COUNCIL**

WARD:                 **HAWKWELL WEST**

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Deferred Report

- 1.1 This item was deferred at the last Committee for a Member site visit, the report to the last Committee is repeated below.
- 1.2 **Hawkwell Parish Council** No objection provided that no noise, dust, and odour pollution affects the neighbouring properties.

NOTES

- 1.3 Permission is sought for the change of use of an existing warehouse unit to manufacturing and the retention of a dust extraction unit.
- 1.4 The existing buildings were consented as warehousing to support the long established industrial uses on the remainder of the site. These are located to the rear of the site adjacent to the site's boundary with the metropolitan Green Belt. Within the adopted Local Plan the application site specifically and the area used by Auto Plas and Benchmark Doors on the remainder of the site is allocated as an area for industrial use.
- 1.5 Located between these existing buildings and the physical boundary of the site is a dust extraction unit, at the time of the site visit this was not connected and not therefore operating. It has a steel appearance and height below the ridge of the main building to which it is to be attached.



- 1.6 The applicant has forwarded supplementary information within which they confirm that the manufacturing process is purely the cutting and fixing and the forming of products to produce doors and frames for the building industry. The applicant confirms that the PVC used is similar to that used in the construction of millions of double glazed windows that are produced nationally each year. The PVC is brought to the site in a pellet form and is heated sufficiently to enable the material to be moulded into the required products. The products bought in by the company, specifically plastic and styrenes, are manufactured off site. The applicant reaffirms that within the site there is no production of PVC or styrenes; the main processes involve the cutting, fixing and forming of products. The applicant has confirmed in conversation with the officer that the manufacturing processes involved with the production of the doors will not give rise to harmful pollutants that could result in the loss of residential amenity.
- 1.7 The applicant confirms that the extraction unit is to be sited and of the size proposed in order not to impede the access around and through the site, and at the same time allow for fork lift truck access to remove the dust. The applicant confirms that the site's working hours are:-  
0800 – 1715 Monday to Thursday  
0800 – 1300 Friday  
and no weekend working.
- 1.8 It is considered that, as the application buildings are within an area of land identified as/for industrial uses, then the change of use of the existing units to manufacturing would be acceptable in principle. In addition, the proposed uses are connected with an expansion/rationalisation of the existing business practices at the site rather than a new independent business and therefore are considered to be appropriate in terms of activity, delivery/dispatch and staff/customer car parking.
- 1.9 The dust extraction equipment is required, given the dust created by the cutting and forming of the doors/surrounds. There is no objection to the principle of this equipment, though it is accepted that it is sited on the Green Belt boundary and will be visible through and above the existing hedge line from the Green Belt beyond. However, given the site's allocation within the Local Plan and that it will be viewed against the backdrop of much larger buildings, a refusal based upon the loss of amenity through visual impact could not be substantiated.
- 1.10 A planning condition is recommended that requires further details of the housing to be fitted around the motor for the extraction equipment in order to mitigate the noise created.
- 1.11 In conclusion, the application, if consented, would help an existing business expand on an identified industrial site, which will help retain this significant local employer within the district to the benefit of the local economy.



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- 1.12 The manufacturing processes involved in the use of the buildings have been carefully examined and will not give rise to a material loss of residential amenity nor would the retention of the dust extraction equipment give rise to any material visual intrusion.
- 1.13 **London Southend Airport:-** No safeguarding objections.
- 1.14 **County Highways Officer:-** No objections.
- 1.15 **County Conservation Officer:-** the nearest listed building lies about 100m NW of the front of the warehouse and I do not consider that it would be affected by the proposals.
- 1.16 **Head of Housing, Health and Community Care:-** No objections, but advise that the applicant be informed that they should 'contact the Head of Housing, Health and Community Care at the earliest opportunity to discuss the requirements necessary to meet current Pollution Prevention Legislation.'
- 1.17 5 letters of objection and a petition signed by the occupiers of 1-5 Thorpe Gardens have been received. These have commented in the main on the following issues:- consultations should have been wider; the use of the buildings and the equipment will give rise to air pollution; the manufacturing processes involved in the construction of these doors is harmful (styrene & carcinogens); prevailing winds will carry dust, dirt, smells and pollution over properties to the NE of the site; the extra comings and goings of large lorries as well as the parking problems in this road is unacceptable - this would be made more worse if the development goes ahead; the road is busy enough; the proposal would increase traffic which would affect highway safety; devaluation of property values

**APPROVE**

- 1 SC4 Time Limits Full - Standard
- 2 The manufacturing use of the buildings hereby permitted shall only be used for uses/activities connected with and in association with the remainder of the application site and shall not become a separate or independent use.
- 3 Within one month from its connection to the building and its operational use commencing details of an acoustic housing enclosing the motor of the extraction equipment shall be submitted to and approved in writing by the Local Planning Authority. The details shall supply the Council with decibel levels of the equipment operating without any housing and the predicted decibel levels with the housing in place. The housing shall be implemented in full within one month of the Council agreeing to the details as part of this condition.



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**INFORMATIVE** The applicant/developer is advised to make contact with the Council's Health and Community Care Section on 01702 318 047 in order to discuss the requirements necessary to meet the current Pollution Prevention Legislation.

**REASON FOR DECISION**

The proposal is considered not to cause demonstrable harm to any development plan interests, nor harm to any other material planning considerations, such as the character and appearance of the area or residential amenity, such as to justify refusing the application.

**Relevant Development Plan Policies and Proposals:**

EB1, EB2, of the Rochford District Council Local Plan First Review

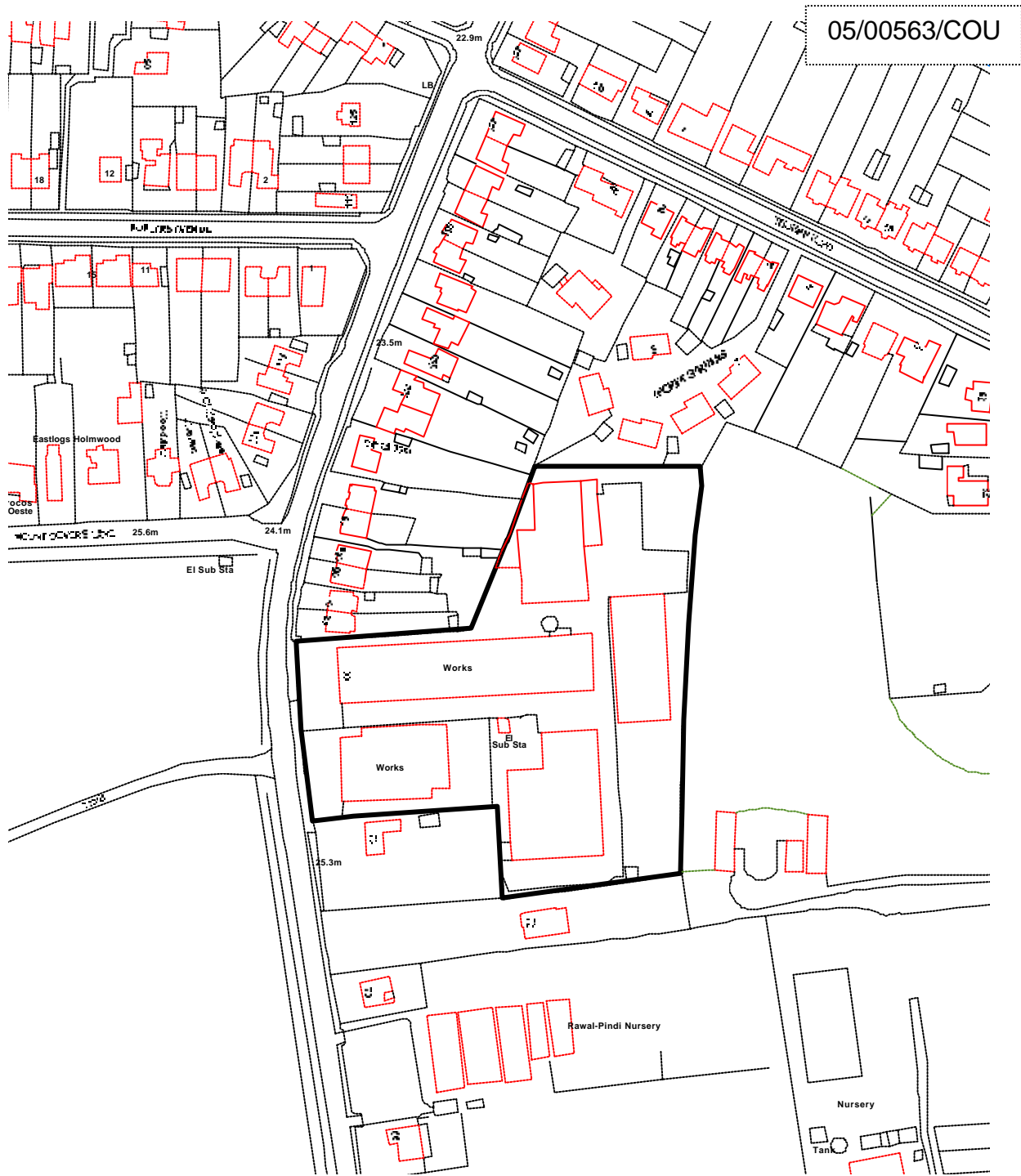


Shaun Scrutton  
Head of Planning Services

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





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## **PLANNING SERVICES COMMITTEE - 20 October 2005 Item D2**

**TITLE :** 05/00427/COU  
CONVERSION OF REDUNDANT FARM BUILDING TO A  
DWELLING  
BRICKHOUSE FARM FAMBRIDGE ROAD ASHINGDON

**APPLICANT :** MR AND MRS A FIGG

**ZONING :** METROPOLITAN GREEN BELT

**PARISH:** ASHINGDON PARISH COUNCIL

**WARD:** ASHINGDON AND CANEWDON

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**Members should note that the applicant is a personal acquaintance of the Head of Planning Services who therefore has not taken part in the consideration or determination of this application.**

### **PLANNING APPLICATION DETAILS**

- 2.1 Consideration of this application was deferred at the meeting of 26 July to allow the applicants to submit more detailed plans with respect to the barn conversion and to allow investigation of the issue of flooding.
- 2.2 Members will see from the original report attached that the determining issues in this application narrowed down to;
- Reconstruction of the Haystore and extension of the Cowshed
  - Evidence to demonstrate the conversion can take place without substantial reconstruction of the barn

### **Revised Plans**

- 2.3 The applicant has revised the plans of the conversion and submitted a detailed schedule of structural works associated with the conversion, to demonstrate the extent of the building to be replaced and the methodology employed in the conversion to satisfy concerns at the extent of re – use of existing materials and repairs to the structure and fabric of the building.



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- 2.4 The applicant has revised the plans to delete the haystore and provide a 2m high screen wall to enclose that part of the site currently occupied by the haystore. The previously proposed extensions to the Cowshed have also been omitted and the existing cowshed is shown to be retained as a store. These revisions now overcome the previous concerns at the reconstruction of the haystore and extension of the cowshed considered unacceptable to the Inspector.
- 2.5 The detailed elevations of the Barn have been revised reducing the extent of glazing in the south elevation looking into the site and reducing to only one rooflight on the south and northern roof slope. The applicant has introduced two bedrooms, bathroom, laundry and two kitchen windows, together with a door to the laundry room into the ground floor northern elevation. The eastern gable end glazed wall window is reduced in height and would no longer extend to the full height of the gable, but a first floor gable window is now proposed on the western elevation.
- 2.6 The internal layout of the building has been revised to locate the bedrooms at ground and first floor in the western side of the building and provide lounge/dining area to the eastern side of the building served by the glazed wall window.

**Structural Issue**

- 2.7 The key issue is whether the works required would constitute major or complete reconstruction that would be contrary to Government advice contained within Planning Policy Guidance Note No. 2 Green Belts.
- 2.8 The detailed schedule of structural works sets out a methodology to undertake the works required in stages focusing upon the five bays within the building that divide the overall structure. The works would be carried out in such stages, carrying out repairs to the structure of the building one bay at a time. The consultant reports that there are no basic instabilities in the barn and there is a reasonable degree of wind bracing to the roof structure and that there is no risk of collapse if this methodology is followed. The repairs to the bays would correspond to simultaneous works to the roof of that part of the barn so as not to unequally load the structure.
- 2.9 Generally the structure is sound and in good condition. There is no need to replace any of the substantial timber framework but some splicing in of new lengths of timber will be necessary where ends of timbers have deteriorated and joints failed. The consultant estimates that 80% of the existing peg tiles to the roof will be re-used. It is estimated that 50% of the ridge tiles will be re-used. It is estimated that 70% of the external faces of the building can be clad with existing weatherboarding.



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- 2.10 Concern is, however, raised by the consultant at the condition of the western most bay which has been constructed in lengths of cut tree and second hand timber and which is showing signs of beginning to fail structurally. It is stated that it remains possible to provide adequate support to this part of the structure without it being necessary to totally dismantle it. The new first floor to be provided will add to the stability of this part of the building.
- 2.11 The consultant advises that the eastern most bay comprises a rebuilding of this part of the barn where none of the original timber frame work survives. It is proposed to form a new structure to this part of the building in Oak framework to replicate the original.
- 2.12 Throughout the schedule it is clear that provision of repairs and new timbers, provision of new softwood battens to the roof, together with reconstruction of the brick plinth to provide a damp proof course, although extensive in detail, would not amount to major or complete reconstruction of the building. The philosophy of the methodology is to make good use of the existing materials and favours repair, at times extensive in work required, but allowing retention of the majority of the fabric. The replacement of parts of the frame is only proposed where the existing material has failed. The approach to repair rather than replace those parts of the building is a practice common with works approved to Listed Buildings. The complete restructuring of the eastern most end bay is the only exception to the methodology but this part represents only one fifth of the overall building. Taken together with the details of works set out in the schedule, the proposed conversion would not amount to major or complete reconstruction in planning terms.
- 2.13 Officers now consider that the methodology submitted in support of the application is acceptable, subject to adherence to this methodology as part of the implementation of any consent given. This matter can be achieved by a condition to any approval that might be given.

**Flood Plain Issue**

- 2.14 The site is above the floodplain identified by the Environment Agency and therefore there are no issues relating to this proposal concerning effects on either the capacity of the land to absorb floodwaters or the effects of flooding upon the building to be converted.

**REVISED RECOMMENDATION:**

- 2.15 APPROVE, subject to the following conditions;
- 1) SC4 Time Limits Full – Standard
  - 2) SC17 PD Restricted – Extensions
  - 3) SC19 PD Restricted – Fences and other means of enclosure
  - 4) SC 18 PD restricted – Outbuildings
  - 5) SC 20 PD restricted - Dormers



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- 6) No conversion or groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.  
REASON: To allow proper investigation of the building and site which is of archaeological and historic significance.
- 7) Notwithstanding the submitted plans, the vehicular access hereby approved shall be constructed to a minimum width of 4.1m on the highway boundary and splayed to a suitable crossing at the carriageway edge. The vehicular access into the site shall be maintained to the width of a minimum of 4.1m for a distance into the site of not less than 5m from the carriageway edge.
- 8) Any gate to be constructed to the access shall be positioned a minimum distance of 5m from the carriageway edge and shall open inwards.
- 9) The first six metres of length of the access way, as measured from the highway boundary, shall be paved in permanent material details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the building as a result of this development approved.
- 10) No planting shall be provided forward of the buildings fronting onto Fambridge Road.
- 11) The application hereby approved shall be implemented in accordance with the details and methodology set out in the Schedule of Structural Works associated with the proposed domestic use of the building prepared by The Morton Partnership Ltd Reference BAMJM\9422str and dated August 2005.  
REASON: In order to ensure the development is implemented on the basis of information included in the Schedule accompanying the application that clarifies the scope and detail of works that would not result in the majority or complete reconstruction of the building contrary to established Green Belt Policy.

#### REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

#### REPORT OF 26<sup>TH</sup> JULY

- 2.16 The addendum to the Committee report contained the following further correspondence in respect of this application;
- 2.17 One letter has been received from the applicant's structural engineer and which makes the following comments on the recommendation;



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- Considers it unreasonable for the Inspector to have made a decision on the condition of the building without taking account of a specialist Engineer's Report on the buildings.
- The conditions suggested in the Appeal seem reasonable to have adequately controlled the situation.
- Astounded that officers have drawn the conclusion about the structural condition of the building over the head of the engineer's report and actually suggesting that the report is incompetent.
- Describes qualifications and experience for structural surveys related to historic buildings. Mr Brian Morton received an MBE in the 2005 New Year's honours list specifically as a conservation engineer for services to the Heritage.
- Reputation is that the applicant's engineers do not damage historic buildings and use minimal interference procedures to safeguard them.
- Have extensive experience of converting barns without major reconstruction.
- State categorically that the building can be repaired without major replacement of structural elements and that a high proportion of the weatherboarding can be re-used and will replace only those roof tiles that are necessary.
- State categorically that if such buildings are not given new uses they are lost

2.18 Officers have also received a copy of a letter circulated to Members from the applicant in addition to the above comments from the applicant's structural engineer.

### **The Site**

2.19 This application is to a site of a redundant agricultural barn located immediately adjacent to the residential village envelope of South Fambridge and to the east of Fambridge Road. The building comprises a barn and adjoining cowsheds, which apart from some domestic storage have not been used for some time. The building is showing signs of neglect and damage with missing roof tiles and broken and missing windows. The greater part of the curtilage is overgrown. A large pond exists immediately to the south of the site. Adjoining further south exists Brickhouse Farm House and Brickhouse Farm Bungalow.

### **The Application**

2.20 The proposal is a revised application to that previously considered in that various details to the layout of the building and external alterations are different to that previously considered and the applicant has now included details of the potential marketing of the site for commercial purposes. The applicant also includes a report from a Structural Engineer on the suitability of the building for conversion.



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- 2.21 The current proposal would provide a lounge area to the eastern wing with kitchen and hall centrally located and consistent with the previous application. The current proposal, however, would provide a dining room, study and games room where previously were proposed two bedrooms, TV room and bathroom in the earlier scheme.
- 2.22 The first floor to the barn would accommodate two bedrooms each with en-suite facilities. In the previous application the main roof was left open above the lounge and with only one bedroom to the western part of the roof area.
- 2.23 Both applications feature the reconstruction of the hay store to form a pool room and extension of the cowshed to form garaging. The current application now proposes to connect the pool room attached to the barn and extend the pool room with a pitched roofed bay detail of some 3.96 square metres. Common to both applications the reconstructed hay store area would be increased in height by 0.9m to an overall height of 4.4m to the new ridge line.
- 2.24 The cowsheds would be extended 7.5 square metres to allow sufficient depth of 5.6m for a vehicle to park within the resultant garage. The extension would have a pitched roofed form with two garage doors between piers.
- 2.25 The current application increases the amount of glazing to the various features of the building and includes four additional rooflights facing into the courtyard and seven additional rooflights facing north onto the former Anchor Hotel site.
- 2.26 The current proposal would increase the number of windows facing onto Fambridge Road to the rear of the existing cowshed from five in the previous application to seven in the current proposal.
- 2.27 The current proposal would feature no windows to the ground floor north elevation of the barn fronting onto the former Anchor Hotel site but would provide six windows as opposed to the previous three windows proposed to the reconstructed hay store.
- 2.28 The eastern elevation would remain essentially unchanged in comparison with the previous application but for the increased size of the glazed wall window which is proposed in the current application to extend fully to the ridge line.

**RELEVANT PLANNING HISTORY**

- 2.29 Application No. 04/00547/COU  
Conversion of redundant farm building to dwelling  
Permission refused 26<sup>th</sup> August 2004 for the following reason;



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- 2.30 "The proposal is situated within an area of Metropolitan Green Belt as defined in the Rochford District Local Plan First Review (1995) where development of the type proposed is allowed only in the most exceptional circumstances. The applicant has failed to provide sufficient details of attempts made to market the site for commercial purposes and as such the proposal is contrary to Policy GB5 of the Rochford District Local Plan First Review (1995) and would be inappropriate development contrary to Policy GB1 of the Rochford District Local Plan First Review (1995)"

Appeal dismissed 5<sup>th</sup> July 2005

### **CONSULTATIONS AND REPRESENTATIONS**

- 2.31 **Essex County Highways** - Advise proposal would normally attract a recommendation of refusal given the location failing accessibility policies, but given recent approval to redevelop the Anchor site recommend the following conditions:
- Access to be a minimum width of 4.1m splayed to a suitable crossing
  - Access to be maintained for a minimum distance of 5m from the carriageway edge
  - Any gate to be positioned 5m from the carriageway and open inwards
  - First 6m of the access from the highway to be bound in permanent material
  - Space within the site for the parking and turning of all vehicles regularly visiting the site
  - No planting forward of the wall of the building to maximise visibility available
  - Measures to be submitted to ensure no mud or debris associated with the development are deposited on the highway from vehicles associated with the development
- 2.32 **Essex County Archaeologist** - Advise that the barn is a good example of a post medieval farm complex. The East Anglian Farmstead (1750–1914) are a crucial but understudied component of the East Anglian Landscape. The area was of major international importance in the development of the "Victorian High Farming Tradition" when new ideas culminated in significant alterations in the design and layouts of buildings. Recommends that prior to conversion the building is "preserved by record".

Recommends Building Recording Condition.

### **MATERIAL PLANNING CONSIDERATIONS**

- 2.33 Policy GB1 to the Council's Adopted Local Plan (1995) states that permission will not be given for the change of use or extension of existing buildings except in very special circumstances. The barn is not Listed or on a list of locally important buildings. The barn is, however, considered substantial and attractive. The provisions of Policies GB1 and GB5 of the Council's adopted Local Plan therefore apply.



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- 2.34 Policy C2 to the Essex and Southend-on-Sea Replacement Structure Plan (2001) states that within the Green Belt the re-use of existing buildings can be granted in accordance with Policy RE2 which repeats the advice of Central Government in that the buildings are of a permanent and substantial construction, capable of conversion without complete reconstruction and that the conversion would not damage the amenity of the countryside or introduce additional activity likely to materially and adversely change the character of the local area. The structure Plan Policies are more up to date and reflect more recent Government advice on this issue.
- 2.35 Policy GB5 to the Council's Adopted Local Plan (1995) states that permission may be granted for the change of use of other substantial and attractive redundant buildings situated in the Green Belt subject to significant extension or alteration not being necessary, the development would not adversely affect the visual amenities of the Green Belt, the building has adequate access and off street parking and that proposals for the conversion of redundant buildings to dwellings will be allowed only in the most exceptional circumstances having regard to Policies GB1 and GB3 on the provision of Agricultural Workers' dwellings.

**Commercial re-use/marketing**

- 2.36 Since the previous application the applicant has attempted to market the building for commercial purposes. The applicant has advertised the premises on twelve occasions between October 2004 and April 2005 in local newspapers, the property has also been placed on the agent's website, Prime Location website and the Estates Gazette website since first taking the instruction. Only six requests for further information have been received since September 2004, none of which were taken further.
- 2.37 The applicant has submitted details from six local commercial agents, together with a view from the agent's own commercial department and which conclude that the location is too remote to attract interest. The market for commercial usage in rural areas is a very limited market. The cost of conversion at £100 per square foot and market rental at £3 per square foot for storage and workshops and £7 per square foot for offices that might be achieved would be uneconomic. The potential therefore for the existing building might be some low cost conversion to low key storage use. Higher returns would only be possible with investment, but given the location of the site, such accommodation would be unattractive with occupiers preferring locations near to services and thus the investment would be wasted.



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**Special circumstances and inappropriate development**

- 2.38 In dismissing the appeal on the previous application the Inspector acknowledged that the absence of commercial activity near to the site and its remoteness generally mean it unlikely that a commercial occupier of the building will be attracted. For residential conversion to be acceptable the Inspector concluded that the proposal must comply with planning policy and guidance and that the scheme at appeal did not do so.
- 2.39 The Inspector expressed concern at the poor state of repair to the building and the absence of details to show the extent of work required, particularly the re-use of existing weatherboarding and roof tiles. Furthermore, much of the hay barn and cowshed were shown to be reconstructed. In addition, there was no structural survey of the building to determine that the frame and structure is sound.
- 2.40 The current application also shows the reconstruction of the hay barn to provide a pool room and the extension of the cowshed to form a garage. The current application is unclear on the extent of the re-use of existing materials and the amount of reconstruction work required. The details submitted in support of the application state that where possible the applicant will use reclaimed materials and will salvage the existing roof tiles and weather boarding to maintain the appearance of the building. No specific details have, however, been included to show the full extent of the building that would be retained or replaced.
- 2.41 The current application includes a report from consulting Civil and Structural Engineers that results from a brief survey of the building but confirms the building to be in reasonable condition and would be able to be converted to domestic use because conversion techniques allow for no additional loads off the existing structural elements as a result of the construction of a new internal framework. The report, however, recommends further detailed assessment supported by a schedule of work.
- 2.42 The current proposal shows the reconstruction of the hay barn and modest extension to the cowshed. In dismissing the appeal the Inspector concluded that the hay barn was not a substantial permanent structure and therefore the effect of the reconstruction of this part of the scheme, together with the limited extensions to the garage were not justified. The Inspector considered that the increase in floorspace would harm the openness of the Green Belt and would have a materially greater impact than the previous use. The Inspector concluded that without evidence to the contrary the conversion would amount to major reconstruction and therefore inappropriate development.



- 2.43 The footprint increase in the building would be contained within the courtyard area. The reconstructed buildings would be higher by 0.9m. The applicant states that the site closely adjoins the village envelope and recent development. In dismissing the previous appeal the Inspector disagreed with the view that the site's proximity to the residential area would counteract its impact on the purposes and integrity of the Green Belt, concluding that the purpose of the Green Belt is not diminished in areas immediately adjacent to settlements.
- 2.44 Revised Council Policy contained in Policy R9 to the Council's second deposit draft Local Plan (2004) generally advocates a less restrictive approach as seen with policies contained within the Replacement Structure Plan. For residential conversion to be acceptable in principle Policy R9 requires the applicant to seek alternative business use over a period of two years prior to the application. This policy repeats, however, the requirement that the building be of permanent and substantial construction that is capable of conversion without major or complete reconstruction or no major extensions that would materially affect the openness of the Green Belt. The conversion of Listed Farm Buildings will not normally be permitted under this emerging policy because such conversion can destroy the original character and integrity of the building. Policy R9 is, however, subject to challenge and cannot be given as much weight as that of the Adopted Local Plan until the Inspector's report and recommendations on the replacement Local Plan are known.

### **CONCLUSION**

- 2.45 The applicant has overcome previous concerns the Council had at the potential for alternative business uses for the building. Although not advertised for the two year period detailed in emerging policy, the collective opinion of the agents is endorsed by the Inspector in reaching the decision in the previous Appeal.
- 2.46 However, the appeal decision on the previous application focuses on issues material to the current application concerning the extension of the ancillary buildings to the Barn which are proposed to be replaced as part of the overall scheme. The extension of the ancillary buildings and lack of clarity in detail as to the precise extent of the structure and external materials to be replaced within the conversion of the Barn conflict with Central Government Policy and Local Policy and Guidance in that the Council must be satisfied that to grant permission would not amount to major reconstruction. The desire to retain the attractive building is arguably a special circumstance that would favour allowing residential conversion to save the building but the unquantified extent of the replacement of the original buildings remains unjustified and inappropriate development, contrary to Policy GB1.



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- 2.47 In reaching his conclusions, the Inspector in the previous appeal states...*if residential use is the most appropriate alternative for this location, the detailed scheme must comply with planning policy and guidance. The current proposal does not do so.* It is evident from the Inspector's decision that had the application not included the reconstruction of the hay store, extension to the cowshed and that the Inspector had satisfactory evidence that the conversion of the barn itself would not amount to reconstruction of the barn, that his decision would have been different favouring conversion and allowing the appeal.

### **RECOMMENDATION**

- 2.48 It is proposed that this Committee **RESOLVES** to **REFUSE** permission for the following reason:-

- 1 The proposal is situated within an area of Metropolitan Green Belt as defined in the Rochford District Local Plan First Review (1995) where development of the type proposed is allowed only in the most exceptional circumstances. The proposal would reconstruct and extend the existing Hay barn and Cowshed as a result of the conversion of the barn for residential purposes. Furthermore, the applicant has submitted a structural report to clarify the potential of the building to favour conversion to residential use but has not provided sufficient evidence to show that the conversion could take place without substantial reconstruction of the Barn. As a result the proposal would amount to inappropriate development contrary to Policy GB1 and GB5 of the Rochford District Local Plan First Review (1995)"



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**Relevant Development Plan Policies**

H11, GB1, GB3 and GB5 of the Rochford District Local Plan First Review (1995)

R9 of the Second Deposit Draft Rochford District Replacement Local Plan (2004)

CS2, C2, RE2 of the Essex and Southend-on-Sea Replacement Structure Plan (2001)



Shaun Scrutton  
Head of Planning Services

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For further information please contact Mike Stranks on (01702) 546366.



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## **PLANNING SERVICES COMMITTEE - 20 October 2005 Item 3**

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**TITLE :** 05/00324/FUL  
**CONSTRUCTION OF A MULTI MODAL TRANSPORT  
INTERCHANGE FACILITY FOR SOUTHEND AIRPORT  
RAILWAY STATION, INCLUDING PARKWAY, CAR PARK,  
ACCESS TO SOUTHEND ROAD AND ASSOCIATED  
HIGHWAY WORKS  
LONDON SOUTHEND AIRPORT CO LTD SOUTHEND  
AIRPORT  
ROCHFORD**

**APPLICANT :** LONDON SOUTHEND AIRPORT CO. LTD

**ZONING :** METROPOLITAN GREEN BELT

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD

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### **PLANNING APPLICATION DETAILS**

- 3.1 Permission is sought for the construction of a surface level car park with 323 spaces, as well as cycle and motorcycle parking and with a new vehicular access to/from Southend Road. The car parking bays are to be laid out perpendicular to Southend Road.
- 3.2 The new access proposes a vision splay of 4.5m by 90m on either side of the access and, in addition, a landscape buffer is proposed along the frontage with Southend Road below the height of 0.6m.
- 3.3 The application site is wholly within the Metropolitan Green Belt, as identified within the Local Plan.

### **SUPPORTING DOCUMENTS WITH THE APPLICATION**

- 3.4 The application is accompanied by a number of supporting documents, which set out the applicant's case for the proposal.
- 3.5 The executive summary of the documents is as follows:-



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- 3.6 The proposal will include provision for a parkway on land immediately adjoining the approved new airport railway station, to be implemented in one or two phases, and will include disabled parking, cycle parking, park and ride facilities and pedestrian access to the railway station from Southend Road. The existing bus stops and pedestrian crossing on this part of Southend Road will remain in their current positions unless otherwise required. The site will be provided with a single vehicular access provided with 4.5m by 90m visibility splays. Structural planting to supplement existing vegetation would be provided along the site's frontage with Southend Road.
- 3.7 The multi modal facility will achieve the maximum use and value of this new station, in line with Government policy and will contribute an important element to the economic justification for the investment.
- 3.8 The multi modal facility has been designed to provide a balance of economic, environmental and social benefits for the community and will integrate different modes of transport thereby facilitating more convenient access to the railway network by commuters seeking access only to the railway station. The Parkway is designed to facilitate easy connections between rail and bus services and will include easy and safe access for pedestrians, cyclists, park and ride travellers and provision for 323 car parking spaces, including those for the disabled.

### Conclusions

- 3.9 Overall, this proposed interchange facility will provide important public transport benefits in line with Government objectives. The benefits provide the special circumstances to justify this development in the Green Belt. There will be no unacceptable traffic impacts arising on the local network and impacts on residential streets can be controlled by appropriate measures which the airport will contribute to.

### SUPPORTING DOCUMENTS IN MORE DETAIL

- 3.10 The supporting documents comment on the following issues:-

#### ***1. Need for the Interchange Facility***

Outline planning permission was approved on 19 July 1999 under reference 97/00526/OUT for the construction of a new air terminal, with integrated rail station, visitor centre, access road and associated car parking. Approval of the 'reserved matters' was approved on 25 November 2004. This direct rail link to London, Southend and other parts of Essex is essential to the Airport's aim of attracting greater passenger numbers, expanding its air services and thus ensuring its long term viability.

In addition to the air passengers, the new station will serve five additional user groups:





- Those employed at the airport.
- Rail commuters currently using Rochford station who drive past or near to the airport
- Car commuters to London
- The suppressed demand for off peak rail passengers
- Park and ride

- 3.11 To help attract some of these five user groups and to ensure that the integrated transport link is economically sound and makes best use of the new infrastructure investment, the new parkway element is an integral part of the whole multi modal development. The railway station car park is therefore an essential element in attracting additional business to the station in order to help pay for the new station, both in terms of car parking revenue and a proportion of the rail ticket revenue derived from passengers.
- 3.12 The application is supported by the Train Operating Company One Railway, because they recognise that enhanced access to the railway network will:
- 1) Attract more passengers to use the railway, thereby achieving modal shift and reducing traffic on the A127.
  - 2) Provide additional car parking capacity to that already provided but fully utilised at Rochford and Prittlewell Stations. Rochford Station is fully occupied by commuters by 0800 and therefore infrequent or later commuters and off peak users are deterred from using the train, or drive to a station further up the line, thereby adding to traffic in the area.
- 3.13 An additional benefit of the improved access achieved by the proposed interchange will be its proximity to a large residential area whose residents will be able to walk to and from the station.
- 3.14 This progressive multi modal transport interchange can only be optimised by utilising both sides of the station on land already owned by the airport. The new interchange will connect with an excellent existing rail service to London and an already established high frequency bus service.

## 2 Policy Guidance

- 3.15 Policy support for the proposed growth of the Airport is contained within **The Future of Air Transport White Paper** and also **The Future of Transport - a network for 2030**

## 3 The Benefits of Rail

- 3.16 Growth in the economy and in employment brings with it growing demand for passenger travel and freight transport of all kinds.



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- 3.17 Encouraging more people to use rail rather than road also has a key role to play in meeting our environmental objectives.

**4 Green Belt Issues**

- 3.18 The new multi modal interchange facility can only be fully achievable by utilising both sides of the railway station, this in turn requires access from Southend Road. The facility cannot therefore be located on any alternative site outside the Green Belt.
- 3.19 The applicant contends that the supporting information with the application amounts to very special circumstances sufficient to outweigh the harm caused by the inappropriate development. In addition, they also claim that the scheme generally complies with the advice of PPG2.

**3.20 5 Traffic Issues**

- The applicant has commissioned a 'transport assessment' report from an independent consultant. This report reviewed the vehicle numbers using Southend Road, Sutton Road and also the activity movements and parking take up of Rochford train station.
- 3.21 This report concluded that the heaviest demand for the surface car park is likely to be rail commuter travelling to London; and therefore the peak demand and pressure upon the highway is likely to be between the hours of 0630 – 0730. The report also comments that, given the presence and proximity of Rochford station and car park, this facility is unlikely to draw many vehicles away from using Rochford; the study comments, therefore, that it is likely that the greatest use of the facility will be from the south of the site, the Southend side.
- 3.22 The report demonstrates that the additional traffic attracted to the site can be accommodated on the local highway network without causing significant harm to the operation of the Hart House Roundabout. Capacity analysis has revealed that there will be a beneficial impact on the operation of the Southend Road/Sutton Road junction in the future as a result of development as the queue lengths will reduce in the peak hours. The report comments that there is no need for a right hand lane turn given the highway capacity and the greater demand coming from the south.
- 3.23 The report included a 'stage 1 road safety audit' of the site and the proposal. In the vicinity of the site and within 36 months since May 2001 eleven accidents have been recorded. Most of the accidents occurred during the hours of daylight and most during dry surface conditions, comments that the accidents are likely to have been caused by excessive speeds. It comments that an increase in traffic will slow the vehicle speeds, however a new junction in this location would give potential for an increased number of accidents along this stretch of road. The safety audit part of the report comments that vision splays should be provided, the exiting zebra crossing needs to be increased in width, and there may be a need for a further crossing to facilitate the safe crossing of pedestrians travelling from the north.



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**6 Effects on Residential Amenity**

- 3.24 In preparing the application, the airport has undertaken an informal consultation with local residents. This comprised a letter to 115 local properties and two meetings with concerned residents at the airport. Their main concerns may be summarised as follows:
1. The access is dangerous as it is too close to the bend to the north of the site; they say there are many accidents along this road.
  2. Concerns about on street parking.
  3. Position of bus stops/crossing is not correct.
  4. Alternative accesses suggested are [a] slip road or [b] a small roundabout at the northern end of the site.
  5. Concerned about extra fumes.
  6. Is the car park actually needed, just a way of getting extra money.
  7. Why not do a multi storey on the airport side where you already have parking?
  8. Same problems as originally encountered with retail park, such as mis-use by boy racers at night.
- 3.25 Residents also recognised that there would be positive benefits from this facility, including an increase in the value of their properties and ease of access to trains for them to get to Southend for shopping trips or to London without the need to use their car or pay car parking charges.
- 3.26 The airport can advise in respect of these matters as follows:
- 1 Addressed in traffic assessment report.
  - 2 The Airport recognises that the provision of a rail station will lead to increased demand for parking nearby for commuters in order to avoid parking fees. The proposed interchange facility will cater for this demand but in order to prevent any avoidance of parking fees, the airport would be willing to contribute to the implementation of appropriate measures to prevent this. In addition, charges for the car parking element would be carefully considered so as not to encourage on-street parking and to avoid competition with other station car parks nearby.



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- 3 The correct positions are now shown on the application plans.
- 4 Addressed in traffic assessment report.
- 5 Pollution will actually be reduced in the area as, for example, queues at the Southend/Sutton Road junction will reduce and as such so will idle time and fumes. In addition, the interchange promotes modes of transport other than the car, for example, walking, cycling and public transport, leading to a further reduction in pollution as a whole.
- 6 This statement has set out earlier why the facility is clearly needed, the facility is not just for cars, it is also for pedestrians, cyclists, disabled people and park and ride.
- 7 There are two important reasons: the first is that it is not desirable to mix commuters and air passengers, the pricing structure and period of stay will be different for each of these groups and the commuter parking charge will be the same as Rochford; the second is a conflict of priority between two key user groups. Air users will want priority parking outside the passenger terminal and must therefore be afforded this area, whilst rail commuters require their own separate priority area next to the station. A multi level alternative on the terminal side would not resolve the locational problems or conflicting priorities.
- 8 A barrier will be suitably positioned at the entrance to the site to prevent unauthorised access at night.

## **9. Archaeology**

- 3.27 In summary, the investigation found that remains found in the evaluation trenches were sparse. This report concludes that additional exploration needs to be carried out prior to work commencing. The applicants have accepted the need for further work.

## **10. Ecology**

- 3.28 An ecological report concluded that, from surveys and background data searches, with the use of appropriate mitigation, including translocation of known protected species and safeguards and the recommendations set out in the report, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site.
- 3.29 The applicant acknowledges the need for any translocation site to be identified and also suitable. This is work that the applicant is committed to undertake, post decision.



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**11. Highways**

- 3.30 A traffic impact assessment report accompanies the application within which they claim all of the concerns raised by EEC have been addressed.

**12. Business Case for Multi-Modal Transport Interchange Facility**

- 3.31 The proposal is to meet the forecast demand for air passengers by building a fully integrated and seamless transport interchange at Southend Airport – air – rail – road – bus – cycle – pedestrian. By uniting the existing airport and adjoining main railway line assets and utilising their considerable spare capacity the development would not only meet the air passenger's demand in a modern efficient manner, but also provide new rail access capacity for commuters, park and ride customers and the travelling public.

**13. Proposed Alternative Locations**

- 3.32 The Parkway is an essential part of the proposed new terminal and rail station integrated transport interchange. The terminal and rail station are approved and are located a short distance from each other. The alternative sites for the Parkway, one outside and one within the Green Belt and the alternative form of multi storey car parking, would occupy land zoned and needed for airport development in the longer term, would provide significantly less attractive facilities for air passengers and Parkway commuters, as well as an undesirable conflict between the two and would mean that the rail station is not accessible on foot from the local community, from local bus stops, for taxis and park and ride (eg, at weekends).

**14. Job Creation**

- 3.33 The capacity of the approved terminal/station would generate in the region of 360 direct jobs and ultimately, subject to planning permission and in line with the Aviation White Paper passenger forecasts up to 2000, direct jobs would be created along with a number of indirect jobs created in other businesses on airfield and in the surrounding area.

**15. Sustainability**

- 3.34 The airport considers that the proposals meet the overall aim of sustainability in a number of ways, as set out below.



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- 3.35 *Meeting demand in the locality and the benefits of expanding an existing airport* – Meeting demand close to where it arises and also consolidating and expanding activity at an existing airport has a number of benefits in accord with the overall aims of sustainability as set out in PPS 1 (Delivering Sustainable Development).
- 3.36 Meeting demand in the locality avoids the need for people to travel long distances to get to an airport. The implementation of the terminal/station will mean that the airport can attract airlines and provide UK domestic European destinations for both the leisure and business markets. This will seek to limit the number of local people who want such flights needing to travel outside the region, thereby reducing journey times and emissions. Inward investment into the region and London would also be created.
- 3.37 The utilisation of existing infrastructure, such as the railway line, reduces the need to duplicate such infrastructure elsewhere. This represents an efficient use of resources. There are also a number of other benefits which are set out below:
- The role of the airport as a key employer in an area which suffers relatively high and long term unemployment and poor formation of new firms.
  - The airport's contribution to regional and economic strategies.
  - The airport's role in improving accessibility to the locality, region and Europe.
- 3.38 Each of the above clearly has benefits in accord with the overall aims of sustainability. For example, creating jobs and retaining people in the locality and region reduces the need to commute to outside the area to find employment; this in itself reduces the need for new infrastructure and reduces emissions.
- 3.39 *Conclusion to the report on sustainability* – The airport considers that the implementation of this proposal will meet the overall aim of sustainability in a number of ways as set out above.

## **16. Lighting/security**

- 3.40 Southend Road separates the application site from the nearest residential properties. This urban road is dominated by existing high level street lighting on both sides of the road for the full length of the application site frontage and existing telegraph poles/wires. At night, the light spillage from the street lighting and headlights of vehicles using the road dominate the area and skyline. As such, any lighting within the application site would not be apparent from the adjoining residential properties and so there would be no material harm to the amenities of these properties. Therefore, it is considered that any lighting for the site can be adequately addressed through a suitably worded planning condition. That said, the airport will seek to ensure that any scheme will incorporate the following minimum requirements:

- Directional so as to avoid light pollution.
- Satisfy security and safety requirements.
- To be turned off when the car park is closed.
- Only one controlled access point is provided
- Surveillance by exiting staff
- Potential for CCTV

### **RELEVANT PLANNING HISTORY**

- 3.41 97/00526/OUT Erect Replacement Air Terminal Outline Permission granted 19.07.1999.
- 3.42 04/00639/REM Replacement Air Terminal with Integrated Rail Station, Visitor Centre, Access Road and Associated Car Parking. (Reserved Matters Following Outline Approval 97/00526/OUT) Granted 25.11.2004
- 3.43 This application consented to the precise details of a visitor centre, new passenger terminal surface level car park and new rail way station. The surface level car park within the scheme was wholly connected to the perceived need of the airport. The train station proposed both up line (to London) and down line (to Southend). Platforms.
- 3.44 In this consent the visitor centre, the passenger terminal and the surface level car park and the up line station platform were all within the operational boundary of the airport. Part of the surface car park was within the Metropolitan Green Belt, but, as commented, within the operational airport land.
- 3.45 The down line station platform is outside the operational boundaries of the airport and sited within the Green Belt. It was granted as a very special circumstance, given the close links with the expansion and redevelopment of the adjacent airport.

### **CONSULTATIONS AND REPRESENTATIONS**

- 3.46 **County Highways Department:-** A response is expected, but had not been received at the time of writing the report. Details will be reported in the Addendum.
- 3.47 **Southend on Sea Borough Council:-** this is a welcome proposal
- 3.48 **Castle Point Borough Council:-** no comments to make
- 3.49 **Chelmsford Borough Council:-** No objections
- 3.50 **Basildon District Council:-** No comments to make



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- 3.51 **Amphibian and Reptile County Recorder:-** Have records of protected species in the vicinity of the Southend Airport, and we would advise that targeted surveys are carried out.
- 3.52 **East of England Development Agency:-** Comment at length on the broad strategic policies and strategies that they consider are applicable to this submission:-
- *Thames Gateway South East (TGSE) is a national and regional priority for employment-led regeneration and growth. The proposals to expand Southend Airport represent an important element of this package of measures needed to support and encourage the local economy. It is argued by the applicants that this development is needed in order to ensure the financial viability of the railway station that will service the airport and upon which success of the airport depends.*
  - *An important consequence of the proposed development is likely to be, however, to encourage commuting towards London. This in turn will take those with skills out of the sub-region for work, rather than encouraging them to work in the local area. This will be to the detriment of the skills base available to local businesses and employers and thus the potential of the local economy. In view of this risk, EEDA recommends that before permitting this development the Local Authority needs to be satisfied that*
    1. *the viability of the railway station is dependant on the car park being proposed, and*
    2. *there is no better way of ensuring this, from the perspective of the need to support the local economy.*
  - *If the Local Authority is minded to permit the development, the developer should be advised to improve the provision made for cyclists and the degree to which bus services are integrated into the whole scheme (for example, by including a bus drop off point directly outside the front of the railway station and increasing the level of cycle parking)*
  - *The Regional Economic Strategy (RES) recognises that TGSE is a national priority for regeneration and growth, part of the wider Thames Gateway area that forms the largest regeneration project in Europe. The primary focus in RES for the sub region's development is achieving major investment and social, economic and environmental regeneration throughout South Essex, improving skills and employment links and employment opportunities and ensuring transportation links give real and lasting benefits to local communities. To achieve sustainable, employment-led growth and regeneration in TGSE requires around 55,000 jobs in the period to 2021 ( as projected in the draft regional spatial strategy ) ( RES p 90)*
  - *The RES recognises the particular need in the sub region to :-*



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1. *maximise investment in strategic transport infrastructure to address current deficits and meet future requirements, including the proposal for Southend Airport expansion; and*
2. *support employment, entrepreneurship, business growth and inward investment in key sectors through skills development and provision of appropriate employment locations and support service infrastructure (RESp 90)*

3.53 *More generally in the region the RES also recognises:-*

1. *the need to take advantage of the opportunities from sustainable airport expansion, in particular to support job growth and business opportunities. RES supports the implementation of road, rail and public transport improvements to airports, in tandem with airport capacity expansion, to enable the region to benefit from additional services and minimise adverse local impacts. (RES goal six priority one)*
2. *the need to promote the delivery of strategic road, rail and other public transport priorities, including the creation of a strategic inter modal network and improvements to the strategic public transport network (RES goal six, priority three)*
3. *the need to ensure that transport solutions in the region serve economic growth in a sustainable manner, including support for initiatives that promote reduced car use and travel demand (RES goal six, priority four) and*
4. *the need to address the importance of transport links with London. In particular this means providing greater employment opportunities within the region to support the existing settlement pattern and reduce the need to commute, and achieving increased capacity, reliability and more frequent rail links between London and the East of England (with improved facilities at stations) (RES goal six, priority five)*

3.54 *In relation to RES objectives*

1. *Support employment led growth and regeneration: The principal purpose of the current application is to provide car parking and more convenient access for users of the rail station ( not facilities for users of the airport – except indirectly, see below). The car parking facilities may be used by local business people needing access to London and will provide capacity for increased business development in the Thames Gateway South Essex area. However, the more important outcome of the car parking is likely to make commuting towards London easier. This will encourage commuting, and thus take those with skill out of the sub region for work. To this extent the proposal is likely to work against the objectives of the RES and the need for local regeneration.*



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2. Supporting sustainable airport expansion at Southend Airport:- *The proposal for the expansion of Southend Airport will provide an important boost to employment prospects in the TGSE area. An integral part of the proposal, and crucial to its success, is the provision of adequate transport interchange facilities that will permit airport users to access the airport facilities by rail, bus and car and improve access for pedestrians and cyclists. The supporting letter included with the planning application argues that the car parking will help to ensure the economic viability of the railway station (helping to pay for the new station), and therefore support provision of the transport interchange facilities that will permit airport users to access the airport. The degree to which this is so is not clear since no business case has been provided.*
  
3. Promoting sustainable transport infrastructure. *The car park will reduce road journeys by commuters currently travelling by car to more distant stations and those currently unable to find spaces at existing railway station car parks and driving direct to their ultimate destinations, encouraging existing commuters to travel by rail instead. The development will also provide more convenient access to the station for non car users (eg cyclists and nearby residents) and for those rail travellers being dropped off or picked up by car at the station. To this extent the development will encourage use of more sustainable forms of transport for work related journeys. Any gain will be offset, however, by the encouragement the scheme gives to a greater net flow of commuter traffic from the local area, ie if it encourages more commuting in total. With the scheme as proposed, access to bus services to and from the station would be from bus stops in the Southend Road. A different design of scheme, for example one that incorporated a bus drop off point directly outside of the front of the railway station, would provide a more convenient and better integrated relationship between rail and bus travel. This would require a change to the arrangements for vehicle access onto the site. The provision being made for cyclists is minimal and could be enhanced in order to improve opportunities for sustainable travel.*

3.55 CONCLUSIONS:- An important consequence of this development proposal will be to encourage commuting towards London. This will take local people out of the sub region for work rather than encourage them to stay in the area to the detriment of the skills base available to local business and employers. In view of this risk to the local economy, the Local Authority needs to be completely satisfied that the financial viability of the railway station is in fact dependent on the car park being proposed - and that there is no better way of ensuring this from the perspective of the need to support the local economy.



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- 3.56 Should the Local Authority be minded to permit the development, the level to which bus services are integrated into the scheme and the provision made for cyclists could be improved (for example by including a bus drop off point directly outside the front of the railway station and increasing the area designated for cycle parking).
- 3.57 **Woodlands Officer:-** Cannot comment without an ecological assessment of the site, the report highlights the requirements for reptile trapping and relocation, need to know the translocation site, has it been surveyed, is it suitable, what form of monitoring will there be?
- 3.58 **Essex County Council Archaeological Officer:-** Archaeological deposits have been found in the development area, however they are not significant enough to warrant changes to the scheme or area of development. The second paragraph of the applicant's statement on archaeology indicates no further work is required. This is incorrect as further excavation work will be required on both sides of the railway. Depending on the nature of the development on the western side this may be limited due to soil depth, however on the eastern side there is only 0.25m cover. It is clearly stated within the evaluation report section 7.5 that the deposits discovered are potentially significant.
- 3.59 The archaeological evaluation found evidence of medieval and early post medieval occupation at the very northern end of the proposed development. Prehistoric occupation was found in an earlier evaluation on the western site of the present railway line. The archaeological deposits are situated .25m below the present surface so will almost certainly be impacted on by the construction of the car park. It is therefore recommended that a full archaeological condition be placed on this application to allow for specific excavation on the two areas of archaeological deposits identified.
- 3.60 In view of this the following recommendations are made in line with PPG16 the wording is as follows:-
- No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
- 3.61 **Rochford Parish Council:-** Inappropriate use of Green Belt land, the potential for traffic issues is immense, car parking problems may occur on the Anne Boleyn Estate if commuters do not use the pay and display car park. The quality of life for residents could be affected, with increased traffic noise, pollution, and congestion on the main roads could cause traffic to use the residential streets as a by-pass.



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- 3.62 **Stambridge Parish Council:-** It does not bear any resemblance to the original application submitted. We are concerned for the future of Rochford Station. Although it states in the application that it will not be closed we are unsure how both stations in close proximity can be sustained. We are extremely concerned by the level of impact the local residents will endure. Levels of noise, high volume of traffic/congestion, effect on value of their properties and their quality of life.
- 3.63 **Head of Housing, Health and Community Care:-** has no adverse comments in respect of this application, subject to the Standard Informative SI16 (Control of Nuisances) being attached to any consents granted.
- 3.64 **Environment Agency:-** Advises that if protected species are thought to be present then appropriate survey and mitigation be put in place.
- 3.65 **Buildings/Technical Support:-** No objections. Comments that a public surface water sewer passes through the site. Sustainable surface water drainage to be considered.
- 3.66 **Go East:-** The Government does not wish to make any comments on the application at this stage, as to do so may prejudice the Secretary of State's position.
- 3.67 **Essex County Council Conservation Officer:-** No known historic building or conservation issues associated with this proposal. The nearest listed buildings and the Rochford conservation area are a considerable distance away and I have no reason to think that they would be affected by this proposal. No observations to make on this application.
- 3.68 **Essex Wildlife Trust:-** Essex Wildlife Trust agrees with the main findings of the Summary, namely:
- No adverse effects upon statutory designated sites of nature conservation importance;
  - No adverse effects upon non-statutory designated County Wildlife Sites;
  - On-site habitats are of low ecological value and therefore the loss is viewed as of minor or negligible significance (in absence of mitigation). We welcome the retention and enhancement of some of the boundary hedgerows;
  - A small reptile population has been identified. We acknowledge that the scale of the proposal cannot adequately accommodate these animals. Translocation is the only viable course of action if the Council is minded to approve the proposals. Further consultation with English Nature and ourselves will be needed when details of the mitigation measures become available. Measures will also be necessary to exclude other reptiles in the vicinity from entering the site, before construction commences;



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- Where scrub clearance is deemed essential, this must be done outside the bird-nesting season (August to February). Alternatively, clearance can be effected at other times, provided the absence of nesting birds has been established by a professional ecologist directly prior to clearance.

- 3.69 Due to the low ecological value of the site we concur with Ecology Solution's conclusion that there are no over-riding ecological constraints to development on this site. However, opportunities should be explored to address loss of semi-natural habitat through sympathetic landscape enhancements (e.g. indigenous planting of local provenance). In this way it is possible to offset low-value habitat loss through habitat enhancement and/or creation
- 3.70 In conclusion, Essex Wildlife Trust raises no objection to this proposal provided that the survey recommendations are carried out, and that further details are presented regarding the translocation of reptiles. Please consult us on other ecological matters as they emerge.
- 3.71 **Essex Police Architectural Liaison Officer:-** No objections to the development but would seek support in requesting the station be subject to 'Safer Stations & Parking Awards', this will ensure that all security issues are addressed.
- 3.72 **Essex County Council County Planner:-** No comments to make.
- 3.73 **Network Rail:-** Comment at length about the safety issues of construction/maintenance of development adjacent/on Network Rails land.
- 3.74 **Planning Policy:-** Concern is raised about inappropriate development in the Green Belt, together with a lack of proven very special circumstances, make this particular concern still very pertinent.
- 3.75 Since the submission of the application, the Local Plan Inspector's report has been published. The Inspector has not judged that any of the Green Belt boundary requires amendment, other than for the correction of cartographic errors. The time to amend the Green Belt boundary is through the Local Plan process and not on an *ad hoc* basis when dealing incrementally with planning applications.
- 3.76 This site lies out with the London Southend Airport boundary as shown on the Local Plan proposals maps – for both the adopted and replacement Local Plans.
- 3.77 The Council is likely to accept the Inspector's recommendations, which with regard to the airport and car parking are:



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3.78 Recommendation in relation to the Airport

If Southend Airport is among those scheduled under the provisions of ODPM Circular 1/2003, the areas shown on the notified safeguarding maps shown on the Proposals Map and the Policy above be included in the Plan.

3.79 Recommendations in relation to car parking

*That the second paragraph of Policy TP8 be changed to:*

*Developments that are likely to generate significant levels of traffic will be expected to provide or contribute towards sustainable transport alternatives to the private car in preference to the provision of on-site parking.*

3.80 Inspector's consideration and conclusions (copied from the Inspectors report for ease of reference)

3.81 Southend Airport straddles the boundary of the Plan area and that of Southend-on-Sea Borough Council. The greater part of the operational area of the Airport is in the Plan area. There are proposals to expand the airport's facilities, including a new terminal and access to a station on the adjoining railway. The runway is also to be improved, at one time thought to require the demolition or moving of St Lawrence's Church, although it seemed that this is no longer thought to be necessary.

3.82 There were a number of objections to this section of the Plan at First Deposit and changes made appeared to largely meet several of them by Second Deposit. These included additions to protect the environment and to allow greater attention to nature conservation interests. Reference was added to a requirement for a satisfactory Surface Access Strategy. There was an updating of the situation regarding St Lawrence's Church, the relevant paragraph (5.48), as a further updating, being removed by Pre-Inquiry Change M29.

3.83 These changes largely satisfied the Objections behind Issues (c), (e) and (f), although English Nature would have preferred a stronger statement of protection for nature conservation. With reference to Issue (d), the land is subject to Policy TP12. It is part of the Safety Zone for the airport. Development for commercial purposes is not prevented, although there will be limitations on use, low intensity employment in open uses may be the most appropriate option, in view of the needs for safety for the runway approach. There seemed no need to the Council, nor to me, to refer to the SERAS consultation.



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- 3.84 The essential outstanding issue was whether the Policy was worded adequately for its purpose and represented satisfactorily on the Proposals Map. In my view a Policy is necessary and it would not be sufficient as a statement of intent. As it stands the Policy is tending to fall between two stools. This could be overcome by a more positive wording of the Policy supportive of the development of the airport, setting out the safeguards considered necessary. There is a suggestion in the recommendation.
- 3.85 The whole of the airport that is in the Plan area is shown on the Proposals Map as subject to Policy TP10. This would imply that the development envisaged could take place anywhere in the defined area. To add a Green Belt notation to a large part of this area is confusing. If the intention is that development in accordance with the Policy is only in practice to be permitted on the "white" area, that should be made clear in the wording of the policy or the definition on the Proposals Map. Some consistency is also necessary between the proposals shown in the Southend-on-Sea local plan and the Plan, both in Policy and in notation. I was not given sufficient information to be sure as to the intention. Either the Policy should be augmented and/or the Green Belt notation removed from the Airport.

3.86 Recommendations

*That Policy TP10 be reworded on the following lines:*

*Planning permission will be granted for development that will support the operation of London Southend Airport as a regional air transport and aircraft maintenance facility, including the full realisation of its potential for increases in passenger and freight traffic, subject to:*

- (a) There being no serious detriment to the local environment or nature conservation interests;*
- (b) It being shown that there are adequate access arrangements in place or proposed.*

*Plans for future expansion and development will be required to include a satisfactory Surface Access Strategy.*

*That further consideration be given to the representation of Policy TP10 on the Proposals Map to either define the area in which development under the Policy is to be permitted and/or to remove the Green Belt notation from the Policy area.*

- 3.87 This development falls outside the airport boundary, but will impact upon it. To develop the airport to best advantage will require an effective surface access strategy, which will help deliver sustainable development. Without this strategy it is difficult to assess whether this is contributing to sustainable development.



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3.88 There is therefore not only a Green Belt presumption against this development, but also a sustainable transport objection. These remain coupled to the objection on amenity grounds.

3.89 **Local Factory Owner:-** In full support of this application and feels it would be an excellent benefit to both Rochford and Southend.

3.90 3 individual petitions of objection have been received signed by in total 306 local residents. The signatories object on the following broad terms:-

- the negative impact on the traffic flow in the immediate area will have a devastating effect on local residents and non airport users.
- Car park charging will result in an increase in free indiscriminate on street car parking.
- This will cause a problem as most of the surrounding roads are quite narrow.
- If commuter parking restrictions are imposed this will disadvantage and impact existing residents
- The land is Green Belt. Provides an environmental barrier from the airport operations and the railway line
- Two alternative sites within 200m of this area and there is no need for this facility

3.91 9 standard pro forma letters have been received objecting to the application on the following grounds:-

- The negative impact on traffic flow in the immediate area will have a devastating effect on the local residents and non airport users
- Car park charging will lead to an increase in on street car parking on road
- If commuter parking restrictions were imposed this would disadvantage the existing residents
- Green Belt status, not the place to site a car park
- Land provides a buffer
- Other similar facilities close to the site, therefore there is no need for the development.

3.92 22 individual letters of objection have been received, that comment in the main on the following issues:-

- Bigger car park would increase traffic congestion
- Increase in pollution would affect the health of residents
- Security issues with current terrorist threats
- If car park is for commuters it would have no benefit to the airport except income, RDC did not require under the airport consent further car parking so there is no need



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- Accident blackspot without additional traffic
- Anne Boleyn roundabout is operating at overcapacity worsened by this proposal
- Construction traffic will increase the congestion/accidents
- Pedestrian footpaths in the vicinity of the site are minimal with little available room for cycle routes to be incorporated
- Pedestrian crossings in the vicinity are not lit and not safe, should be traffic lights/pelican crossing
- Controlled on street parking zones may create areas of displaced residents' parking and also residents may feel unsafe
- Noise pollution
- Natural watercourses must be protected to minimise water pollution and its impact upon natural wildlife
- Problems due to congestion for emergency vehicles to gain access to the Anne Boleyn estate
- The financial bonds for 'highways' in its legal agreement will not compensate for the need for infrastructure
- Airport already has car parking why the need for additional
- Land provides a buffer to the airport activity
- Increase in traffic on already congested trains
- Surface water needs to be disposed of adequately as the existing networks are liable to flooding
- Eyesore without adequate landscaping of sufficient height
- Car park would be abused at night, lorry/overnight parking
- Poor visibility given the winding road
- Increase in indiscriminate on street car parking
- Property devaluation
- Shift workers will suffer from additional traffic and noise
- Surrounding road will be more of rat runs
- Three stations in proximity to one another may not be viable, existing ones may close

## APPRAISAL

### Airport Master Plan

3.93

Following consultation, Southend Airport has published a master plan that sets out broadly how the airport intends to develop over the next 25 years as a small, regional airport meeting local demand.

3.94

The plan explains the principles of the parkway as an essential element of the integrated transport interchange and those principles are the starting point for the detailed submission accompanying this application.



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- 3.95 The plan also gives a commitment to address the issue of parking on residential streets.
- 3.96 The master plan is a non-statutory document but it does express clearly the ambitions of the airport company to develop a facility that will make an important contribution to the regeneration of the economy in South Essex.
- 3.97 **Thames Gateway South Essex**  
Thames Gateway South Essex Southend Airport and the surrounding employment land, including the Rochford Business Park, are seen as key contributors to the regeneration framework for Thames Gateway South Essex.
- 3.98 The Thames Gateway partnership recognises the airport as part of the infrastructure that must be improved to support business development across the area as well as being a direct contributor in its own right to the provision of jobs.
- 3.99 **East of England Development Agency**  
The East of England Development Agency (EEDA) is closely linked to TGSE and their response to consultation explains in detail the importance of sustainable expansion at Southend Airport.
- 3.100 However, EEDA also have some concerns about the parkway proposal. Their view is that the scheme could encourage more people to leave the sub-region to find work in London rather than encourage them to stay in the area. EEDA also have some concerns about the proposed design which does not properly integrate bus services into the scheme.
- 3.101 That having been said, EEDA make the point that if the development of the airport is financially dependent on the proposal then it might be accepted if there is no better way of ensuring development from the perspective of the need to support the local economy.
- 3.102 **East of England Plan**  
The East of England Plan is to be considered at examination in public between December and February next year. It is therefore some way from adoption and the weight of its policies must be assessed accordingly. The East of England Plan is a Regional Spatial Strategy prepared under the provisions of the new planning system and the policies in the plan will influence the local development documents prepared by local planning authorities as part of their Local Development Frameworks.
- 3.103 The plan supports Southend Airport as having considerable scope to meet demand for air services and points out the importance of the proposed railway station.



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- 3.104 Within the suite of core strategy policies, Policy SS7 deals with the Green Belt and requires that in Thames Gateway South Essex a review of the Green Belt is needed as part of an appraisal to identify the most sustainable locations for new development in line with sub-regional strategies and to respond to the Government's Sustainable Communities Plan.
- 3.105 This review of Green Belt boundaries is linked to the sub-regional strategies in the plan, including TGSE, and it is explained that the reviews will need to ensure that sufficient land is available to deliver these strategies.
- 3.106 The Green Belt policy will certainly be tested at the Examination in Public, not least because it advocates land being identified to fulfil needs until at least 2031.
- 3.107 If it is accepted that the parkway application is necessary to support the wider development of the airport, then it may be that the proposal can be accepted on Green Belt land. However, it is far from certain that Policy SS7 will remain in its current form and certainly it can be argued that it would be premature to reach a conclusion now about the future designation of the parkway site.

#### **Rochford District Replacement Local Plan**

- 3.108 Within the Local Plan the importance of Southend Airport to South East Essex is acknowledged and there is general support for the attempts by the airport to maximise its potential, both in terms of passenger and freight traffic. To this end Policy TP10 gives tacit support to the expansion of the airport, subject to environmental and access issues. This acceptance in general terms is qualified by the policy only applying to the operational land of the airport. The operational land has been graphically represented on the Proposals Map.
- 3.109 The parkway site is not within the operational boundary of the airport, so cannot in principle benefit from plan's policies in relation to the expansion of the airport.
- 3.110 The Inspector's Report into the Local Plan has now been published. The Inspector has recommended a change to Policy TP10 to ensure that it is positively supportive of the development of the airport, setting out safeguards where necessary.
- 3.111 In addition, the Inspector concluded that either the area within which such development is permitted should be more clearly defined or the Green Belt should be rolled back to exclude the airport policy applies is clearly shown on the proposals map. The Environment Overview and Scrutiny Committee is being recommended to accept a clarification of the airport boundary.



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3.112 In any event, the airport boundary, as has been stated previously, does not include the parkway application site which is to the east of the railway line and so clarification of the area to which TP10 applies does not give any support to the acceptability or otherwise of the application.

3.113 The application site is within the Metropolitan Green Belt and falls to be considered against these policies within the Local Plan.

3.114 **Planning Material Issues**

Having set out some of the important background information, in appraising this application the material planning issues are considered to be:

- Development within the Green Belt
- Development outside of the operational area of the airport
- Traffic and access issues
- Residential amenity

3.115 **Development within the Green Belt:-** The Government advice on Green Belts is contained within PPG2 and its guiding principles:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.116 Before looking at the specific details of the supporting information it is important to assess the issues involving the Green Belt.

**Role of the Site in Green Belt Terms:-**

3.117 The application plot may be relatively small, and is perhaps not highly visually appealing in landscape terms, but it is considered to play an important role in being a physical and spatial barrier between the built up areas of Rochford, Southend and the Airport itself.

3.118 As outlined above, this role is one of the fundamental guiding principles of the Green Belt advice within PPG2, and if the application were to be consented then it would result in the developed areas of Rochford, Southend and the Airport merging into each other.



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- 3.119 If an argument could be constructed justifying that a surface level car park would not affect the openness of this part of the Green Belt it is considered that, given the extensive area involved, the hard surfacing and street lighting connected with the use and the potential for 300 vehicles to be parked would result in a significant intrusion into the Green Belt, significantly urbanising this important stretch of the Green Belt. In addition, it is considered that this level of development would significantly affect the openness of this part of the Green Belt.
- 3.120 Very special circumstances:- The applicant acknowledges that the site is located within the boundaries of the Metropolitan Green Belt and that the proposal is inappropriate development, as defined by PPG2. The applicant also acknowledges therefore that for the development to be granted planning permission then very special circumstances needs to be demonstrated.
- 3.121 The supporting documents, as outlined above, amount to the applicant's claim for very special circumstances, including an outline of the financial case.
- 3.122 The Airport Master Plan provides a positive statement of the applicant's ambitions for the future development of the airport and the application site is considered as a key component of the strategy.
- 3.123 The Rochford District Replacement Local Plan positively supports the future development of the airport. However, the plan concentrates on development within the operational boundaries of the site. The application site, to the east of the railway line, is not considered to be part of the airport and therefore the plan provides no encouragement or support for development.
- 3.124 The applicant makes much of the use of the sequential test to assess whether any suitable alternative sites are available for the proposal. However, the application of the test is predicated on the notion that there is actually a need for a new commuter car park.
- 3.125 In terms of the requirements of the sub-region, this conclusion must be questionable and certainly, as has already been pointed out, EEDA has concerns over the impact such a facility might have. EEDA's view is at variance with the view of the train company ONE which argues that more parking will encourage greater use of the train and a resultant modal shift. On this point, though, it is not clear that any significant number of drivers will divert from a journey along the A127 to take the train instead.



- 3.126 If, on the other hand, the need in transport terms for a new commuter car park is accepted then might it not be possible to locate this facility within the operational area of the airport? Whilst this might not be the ideal arrangement, there is a large parking area included in the approved scheme located between the new terminal and the railway station. This could be adapted to allow for commuter and short stay parking, for example, with longer term parking being located a little distance away from the terminal. However, the applicant has explained that such an arrangement would not be possible.
- 3.127 In any event, the need for a commuter car park in transport terms is problematic. The key reason for providing such a facility is explained in full by the applicant and it is against the financial justification that the assessment of very special circumstances must really be judged.
- 3.128 The airport site is clearly unique and its potential value to the growth and regeneration of the South Essex economy is not in question. The applicant is, though, presenting a case that any future development and expansion of the business will not or is unlikely to happen unless income is generated from the provision of the commuter car park.
- 3.129 Financial information is not available to underpin this assertion, but this is the point on which a judgement must be reached against the undoubted impact the proposal will have on a Green Belt site.
- 3.130 No support is given to the application through the development plan and therefore, balancing the financial arguments against the weight of harm that will result from the development, it is considered that a planning consent would not be appropriate.
- 3.131 **Development outside of the operational area of the Airport:-** As outlined above, in both the applicant's supporting material and the consultation responses received, the predicted growth of the airport in both passenger numbers and contribution to the South Essex and Thames Gateway economy is to be welcomed.
- 3.132 The Council supported the airport in their wish to develop their business by consenting to the terminal expansion plans, and the operational land boundary of the airport has been assessed at the Local Plan Inquiry. There are no current plans to alter the boundary of the airport /Green Belt.
- 3.133 Notwithstanding the above in this plan led system, if a surface level car park was/is essential to economic growth of the district, South Essex and the Thames Gateway then it would have been planned and either allocated a site and or a specifically related policy within the Local Plan. Neither has been done and there are no comments within the Inspector's decision letter on the Local Plan requiring the Local Authority to deliver such a development.



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- 3.134 In conclusion, it is considered that for the airport to pursue a development outside of their operational land, and specifically on established Green Belt land is without robust justification in planning terms though the financial case presented as justification is understood.
- 3.135 **Traffic and Access Issues:-** At the time of drafting the report a formal response from the County Highways Officer had not been received and these views are crucial to a full assessment of the merits and or the potential harm caused by this development.
- 3.136 Notwithstanding this, the Council accepts the assertion within the supporting documents that the peak demand for the facility would be by rail commuters to stations up to London and as such is likely to be used at times before the more localised school runs and the local workforce. That being the case, any impact upon the local highway network is unlikely to be significant notwithstanding the potential for an additional 300 cars to be on the move. Indeed some movements will simply result from the decisions of drivers to park at the new station rather than at Rochford. The applicant has given an undertaking that parking charges at the new car park will match those at Rochford station. On the evidence presented it would seem that the proposal is unlikely to have a material impact upon the local highway capacity/network, though there will be increased movements in the morning commuter park: the views of County Highways are, though, required to confirm this conclusion.
- 3.137 The Council accepts that with the provision of the necessary vision splays at the junction of the car park and also the acceptance of the comments in the Transport Assessment that there are no highway safety, highway layout issues or accessibility/capacity reasons to justify a refusal of the application on this issue.
- 3.138 There is no doubt whatsoever that without controls, a new commuter car park next to the Anne Boleyn estate is likely to result in high levels of uncontrolled commuter parking to avoid car parking charges that would be set at the same level as Rochford station.
- 3.139 The applicant is willing to pay all the costs associated with the introduction of appropriate controlled car parking zones. This offer from the applicant is certainly appropriate given the possible impact of commuter parking on the estate. Of course, it is also the case that any impact could be avoided if parking was contained within the operational boundaries of the airport.
- 3.140 If Members are minded to approve the application (subject to the Green Belt direction discussed below), a Legal Agreement would be required to cover the following issues:



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- developer to fund the costs associated with the preparation of the Traffic Regulation Order
- developer to fund the ongoing management costs associated with whatever scheme of controls is deemed to be appropriate
- if a TRO is not agreed at the outset, there would be a need for an ongoing commitment from the developer to fund costs at a later date if problems arose from the implementation of the scheme
- the requirement for a review after an agreed period where new traffic controls were put in place.

3.141 **Residential Amenity:-** The aspects that need to be assessed are:-

- noise
- pollution/fumes
- light pollution
- increase in traffic movements at and to/from the site

3.142 The traffic assessment report that accompanies the application recommends that from a highway perspective there are no reasons to withhold consent. There are no supporting documents with the application that comment on the issues of noise, light pollution (including vehicles) and pollution, and as such the assessment of their relative impacts is somewhat subjective.

3.143 Notwithstanding this, it is considered that the impacts of the highway upon the amenities of the occupiers of existing residential properties is one relating to the background noise of vehicles using this stretch of Southend Road. This ambient background noise would be added to by the vehicle movements around the car park, car doors banging, radios in use and given the applicant's assertion that the heaviest use would be early in the morning (pre 07:30) then this has the potential to cause some disturbance. However, weighing this against the stopping and starting of trains and noise from the terminal, any disturbance is not likely to be at an unacceptable level.

3.144 As commented above, there are no reports that accompany the application that deal with air quality. It is assumed, however, that the use of a 300+ space car park would give rise to an element of pollution and without any other evidence to refute this assertion and using the precautionary approach this is an issue that must be carefully considered. That having been said, the car park is to be adjacent to the new airport terminal and with the projected expansion in the number of flights, the level of harmful pollution from any additional vehicle movements may very well be somewhat marginal compared to the additional aircraft a short distance away.



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- 3.145 At present the application site is not directly illuminated. There is an element of light pollution from the existing airport beyond the elevated railway line, the existing street lights on Southend Road and surrounding streets and also to a certain extent vehicles using Southend Road. However, it is considered that the use of the car park, at times when vehicle lights need to be on, then the movements would at times be perpendicular to Southend Road, giving the potential for car headlights to shine directly into facing residential properties.
- 3.146 If Members are minded to approve the application, then a carefully designed scheme of illumination would be required, together with appropriate boundary treatments to mitigate any impact from headlights.
- 3.147 Whilst there is no doubt a suitable scheme of illumination can be designed, the impact would reinforce the change in the character and appearance of this Green Belt site and certainly diminish its role as a distinct buffer separation zone between areas of development.

**Green Belt Direction**

- 3.148 Under the current 1999 Departures Direction, local planning authorities have discretion whether or not to refer to the Secretary of State planning applications for inappropriate development in the Green Belt, depending whether or not they consider the proposed development is likely to significantly prejudice the implementation of the development plan's policies and proposals
- 3.149 The ODPM are currently reviewing the 1999 Departures Direction and are considering making Green Belt departures a statutory obligation upon the Local Planning Authority. Whilst the existing advice makes the referral to ODPM discretionary the emerging Green Belt Direction is looking at more certainty in those applications referred. It would be prudent, therefore, in the light of this emerging direction that if Members conclude that the financial case and Green Belt assessment of the application provide a
- 3.150 compelling case to justify overriding established Green Belt policy, then the application be referred to the ODPM via Go East. ODPM then has 21 days to decide whether to call the application in for a public inquiry.

**CONCLUSION**

- 3.151 The applicant has provided a very full analysis of the justification for the scheme both in terms of the green belt status of the site, the financial requirements and expansion of the airport business.



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- 3.152 The applicant accepts the Green Belt status of the site and presents an argument for very special circumstances based on the financial needs of the business, the unique nature of the airport and its contribution to economic regeneration in Thames Gateway South Essex.
- 3.153 Rochford Council does support the development of the airport business, but the proposal in this case relates to a Green Belt site that provides an important buffer between the airport and residential properties: the site is not within the operational boundary of the airport.
- 3.154 It is concluded that very special circumstances have not been demonstrated, sufficient to justify overriding established Green Belt policy.
- 3.155 The transport perspectives have been discussed in the report and, subject to the comments from County Highways on the Transport Assessment, any impact on the network would not be of a scale sufficient to justify refusal.
- 3.156 Commuter parking is a concern, but this matter can be dealt with through a suitably worded legal agreement, if Members were minded to approve the application.
- 3.157 Other impacts on residential amenity could be controlled by suitable conditions.
- 3.158 In the final analysis, the development of Southend Airport is considered to be extremely important to the sub-region, but taking all material issues into account, it is concluded that the application should be refused on Green Belt grounds.
- 3.159 Finally, notwithstanding this conclusion, if Members are minded to approve the application, it will need to be referred to ODPM via Go East under the provisions of the Green Belt Direction.

### **RECOMMENDATION**

- 3.160 It is proposed that this Committee **RESOLVES** to **REFUSE** this application for the following reasons:-

#### **RFR9**

The Rochford District Local Plan First Review shows the site to be within the Metropolitan Green Belt and the proposal is considered to be contrary to Policy GB1 of the Local Plan and to Policy C2 of the Essex and Southend-on-sea Replacement Structure Plan. Within the Green Belt, as defined in these policies, planning permission will not be given, except in very special circumstances, for the construction of new buildings or for the change of use or extension of existing buildings (other than reasonable extensions to existing buildings, as defined in Policies GB2 and GB7 of the Local Plan).



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## **Relevant Development Plan Policies and Proposals**

GB1, TP10 C2 of the Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

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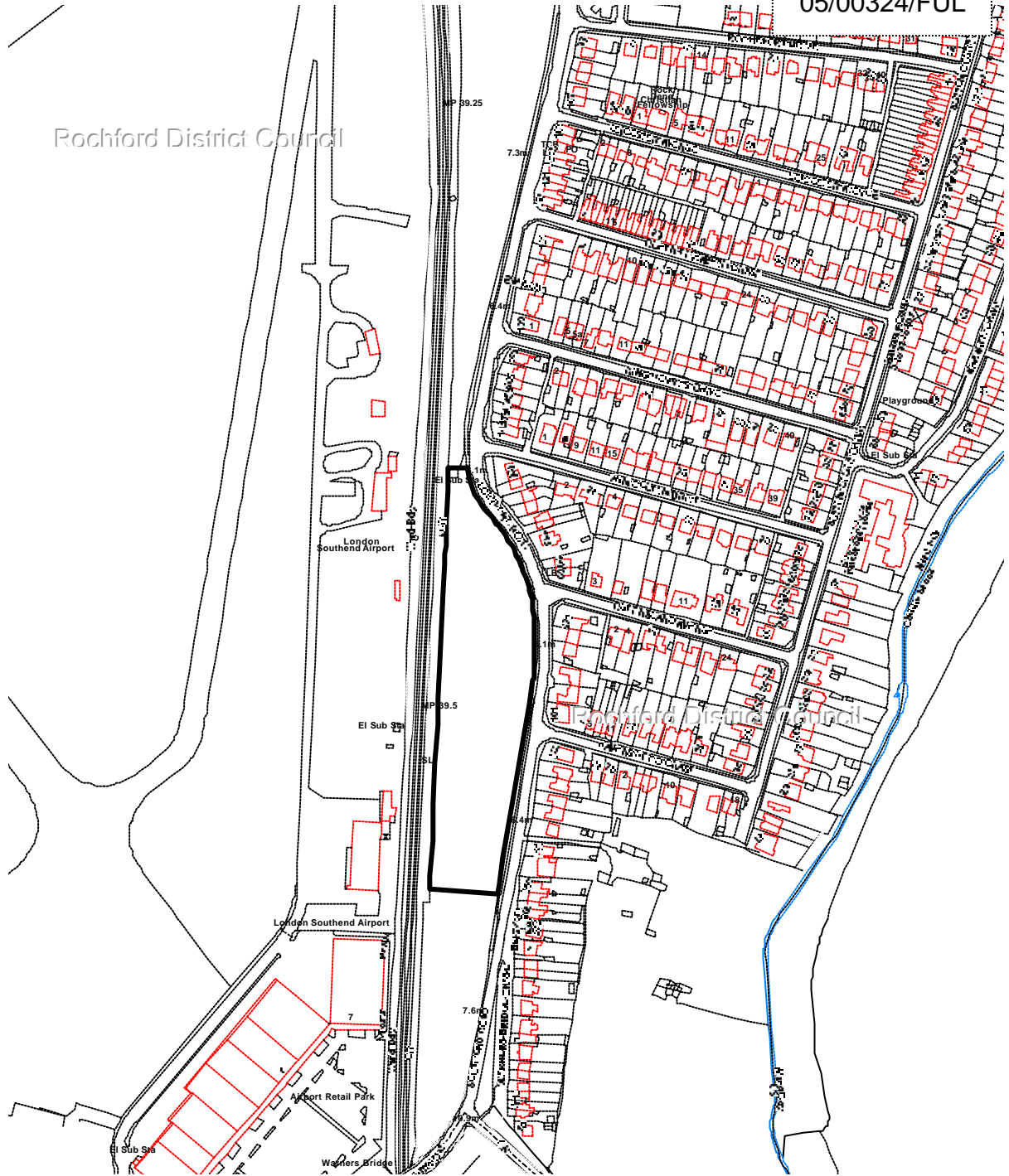
For further information please contact Leigh Palmer on (01702) 546366.



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05/00324/FUL

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**TITLE :** 05/00536/REM  
MOTOR PARK DEVELOPMENT COMPRISING 7 NO. CAR  
DEALERSHIPS, PETROL FILLING STATION AND VALETING  
CENTRE, WITH ASSOCIATED ACCESS, PARKING, VEHICLE  
DISPLAY AND LANDSCAPING.  
ROCHFORD BUSINESS PARK CHERRY ORCHARD WAY  
ROCHFORD

**APPLICANT :** LAINDON HOLDINGS LTD

**ZONING :** B1 BUSINESS

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD

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### **Introduction**

- 4.1 This application was reported to the Planning Service Committee on 25 August 2005 under the Fast Track arrangements for developments proposing more than ten job opportunities.
- 4.2 At Committee Members asked a number questions and points of issue that required clarification.
- 4.3 Attached to this report as Appendix 1 is a copy of the officers' letter to the applicant asking all of the Members' questions and points of clarification and attached as appendix 2 is the applicant's response.

### **Site and Surrounding Area**

- 4.4 The site is approximately 11.3 hectares in area, located on the west side of the B1013 between Rochford and Southend on Sea, with its south west edges lying on the District Boundary.
- 4.5 Adjacent to the west and part south boundaries lies an existing residential area and a 15m wide bunded, landscape buffer area has already been approved by RDC and will be provided as part of the proposed development works.



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- 4.6 Adjacent to the remainder of the south boundary is Britannia Business Park, comprising a number of one and two storey office/light industrial units. The east boundary is defined by Cherry Orchard Way and the north boundary by an existing bridleway, beyond which lies a screen of existing trees/hedgerows, giving way to open fields. The existing site is relatively flat, rising gently towards the rear and side boundaries and whilst some localised re profiling will be carried out, the proposed buildings will be generally be set slightly below the level of the road and the adjacent land.

### **The Proposed Development**

- 4.7 The proposed development comprises a motor park, occupying the front half of the site, adjacent to the road and furthest from the adjoining residential neighbourhood. This proposal is consistent with the existing outline planning consent Ref 00/00005/OUT, but it does not include the B1/B8 development permitted on the rear half of the site which is to be retained for later development.
- 4.8 The motor park will comprise seven car dealerships, with different franchises, together with a petrol filling station and a valeting centre for the cleaning and preparation of vehicles. The car dealership will operate as self contained units, for the sale of new and used vehicles and for after sales servicing and repair, but not including body shop repairs. The petrol filling station will include a shop, will operate 24 hours per day and seven days per week.
- 4.9 As commented above, the application site relates to only half of the Cherry Orchard Business Park site; the rear half is to be developed at some future date. This scheme proposes 7 car dealerships with only Essex Ford being the known occupier of one of the units, the remainder are not specified.
- 4.10 The site will be accessed via an internal 'L' shaped roadway that divides the site into four distinct elements. Entering the site from Cherry Orchard Way immediately on the left is the Essex Ford Dealership; this has a roughly rectangular footprint and it runs parallel to the new service road.
- 4.11 To the rear of the Essex Ford building is the valeting centre; this has a roughly square footprint and is located on the southern side of the new access road.
- 4.12 To the north of the valeting building and to the north of the new access road is a petrol filling station and two car dealerships. The petrol filling station proposes 900sq. meters of retail space on the ground floor and 1000sq. meters of office space at first floor. This building has a rectangular footprint with flat roof and is sited at the head of the forecourt pump zone. This pump zone is covered by a high level canopy, of sufficient height to cover the HGV's and vehicle transporters that will service the site.



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- 4.13 Further to the north of the petrol filling station are two car dealerships; these have rectangular footprints and run parallel to the new service/access road.
- 4.14 On the eastern side of the new access/service road are four more car dealerships; these all have rectangular footprints and are sited perpendicular to Cherry Orchard Way.
- 4.15 All of the dealerships have areas for the display of vehicles for sale; for those units closest to Cherry Orchard Way these areas will be visible from the Cherry Orchard Way.

4.16 

<u>Building Block</u>	<u>Size</u>	<u>Car Parking</u>
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Dealership A	3385sqm	290 spaces
Dealership B	1810sqm	148 spaces
Dealership C	1650sqm	126 spaces
Dealership D	1810sqm	143 spaces
Dealership E	1650sqm	125 spaces
Dealership F	1650sqm	115 spaces
Essex Ford dealership	3670sqm	248 spaces
Petrol Filling Station	875sqm	10 spaces
Valeting Centre	900sqm	65 spaces

TOTALS                      17400sqm    1270 spaces ( see appendix 2 for more detailed breakdown of car parking provision).

- 4.17 All of the vehicles' access into the site will be via the existing roundabout on Cherry Orchard Way, provided for that purpose. The internal site roads will have an 11m wide carriageway, so that unloading can take place in any desired location, without disrupting the vehicular activity in and out of the site.
- 4.18 Pedestrian/cycle access into the site is provided from the existing bridleway, part way along the north site boundary. A further pedestrian/cycleway link is proposed from this point, along the northern edge of the site, to Cherry Orchard Way. This connects into a proposed footpath/cycleway along the west side of the existing roundabout. In accordance with the existing site boundary treatment approval, a further footpath link will be provided, as shown, within the 15m landscaped buffer zone, between the bridleway at the NW corner of the site and the residential/recreation area at its SW corner.



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- 4.19 The proposed buildings have a similar external appearance in an attempt to create a 'family' of buildings within the constraints of the differing franchises. The buildings themselves comprise low pitched standing seam roof, with lightweight wall cladding and glazing to create an open plan environment. The buildings will have a good level of glazing, allowing views into showroom and workshop areas alike. High levels of glazing will allow more natural light into the building, providing a better environment for staff and customers and saving on the use of energy for lighting. Shading is provided by the overhanging eaves and canopies and, where necessary, solar control glazing will be used.
- 4.20 The materials proposed for the buildings will generally consist of insulated composite cladding in silver finish and frameless glazed shop fronts and powder coated aluminium framed windows and entrance doors. Alternative colour cladding will be used for the specific requirements of the particular franchise, at this stage only one of the franchise buildings (dealership B) on the Cherry Orchard Way frontage is to have an alternative colour, on this building it is to be a strident blue. A condition is recommended requiring further details to be submitted for approval if there is to be any divergence away from the appearance of the buildings hereby approved .
- 4.21 Externally, a mixture of block paviors and bituminous macadam paving will be used to define vehicular and pedestrian areas, as well as parking and vehicle display areas.
- 4.22 The scheme proposes 'soil stabilisation' in an attempt to reduce the significant levels of aggregates and vehicle movements to/from the site. The soil stabilisation is the process of incorporating small percentages of lime and or cement into the in situ soil materials, thereby turning unsuitable or marginal soils into useful construction materials which can be easily placed and compacted to form part of temporary or permanent works. The process produces a capping layer which is sufficiently stable and robust to receive bituminous surfacing materials and/or concrete slabs, thus negating the need to import significant quantities of granular materials. This process will not change the levels of the site.
- 4.23 The site is currently green field and the applicant is discussing with the Environment Agency a suitable allowance for surface water attenuation made to avoid the potential impact of increased surface water run off generated by increases in impermeable areas. Whilst the use of porous paving products has been considered, it is not possible to use these techniques in conjunction with the soil stabilisation process. Furthermore, the proposed development layout does not provide sufficient areas to install swales or infiltration basins. It is therefore proposed that surface water storage is accommodated in underground oversized pipes. A flow restriction device will be installed to reduce the surface water discharge 50 litres per second, as agreed with the Environment Agency.



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- 4.24 In addition to the proposed boundary landscape buffer along the residential boundaries, it is proposed to provide low level soft landscaping to many areas within the motor park. The main site frontage will have a grassed area between the highway and the vehicle display areas, to allow for good visibility. Other areas will have a mix of shrub planting, which has been carefully considered having regard to suitability for the motor park environment. In view of the proximity to London Southend Airport care has been taken to avoid the use of trees/plants which might attract birds to nest/roost.

### **Supporting Documents**

- 4.25 The application is also accompanied by a number of supporting documents. These include a protected mammal report, a green travel plan, a statement from Anglian Water and a noise report.
- 4.26 Protected Species Report:- This is an updated report following the one that accompanied the outline approval. The report concludes that there are no protected species likely to be affected by this proposal and that the site itself does not provide a suitable habitat. The report recommends that if more than six months elapse between the update survey and the development within the future business park site then a further update be carried out.
- 4.27 The Green Travel Plan looks at issues relating to the provision of cycle bays and cycle/footpath links as well as car sharing and the proximity and frequency of public transport.
- 4.28 The statement from Anglian Water concludes that the proposed sewerage scheme for the motor park development meets their requirements and has been approved by them.
- 4.29 A noise report also accompanies the application. A noise survey was carried out to the rear garden of 85 Lunday Close on the southern boundary, in order to determine the existing noise levels in the area, against which the impact of the proposed development could be assessed. Cumulative rating levels were calculated for the rear façade of 85 Lunday Close from the operation of:-
- The petrol filling station
  - The closest car dealership; and
  - The vehicle valeting centre
- 4.30 This property was chosen as it was the closest to the development and therefore likely to experience the most noise pollution for the development. Properties in Biscay were also evaluated in order to assess the impacts across the site.



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- 4.31 A total cumulative rating level of 41dB during the day and 39 dB during the night was calculated. The assessment of the above development indicates that complaints were unlikely during the day and of marginal significance during the night. However, when considering the barrier effects of the proposed building, it is estimated that the rating level at 85 Lunday Close will be at 10dB below this. With the mitigation provided by the mandatory earth bund, no further mitigation is required.
- 4.32 On the above basis, the assessment demonstrates that the amenity of residents in the surrounding residential properties would not be adversely affected by the proposed development.

### **RELEVANT PLANNING HISTORY**

- 4.33 00/00005/OUT Mixed Commercial (Classes B1 + B8) Development and Car Showrooms, Maintenance and Preparation Units and Petrol Filling Station Grant Outline Planning Permission 10.04.2003
- 4.34 03/00496/REM soft landscaping, boundary treatment and buffer strip Granted 25/09/03 This application related to the fencing around the site and the soft landscaping and profile of the bunded buffer strip along the residential boundaries of the site.

### **CONSULTATIONS AND REPRESENTATIONS**

- 4.35 **Engineers:-** No objections, but comments that there are no public foul sewers available, surface water drainage should be considered for SUDS.
- 4.36 **Essex County Council Archaeological Officer:-** The site lies within an area known to contain multi period deposits; the site has been quarried for brickearth, removing all archaeological deposits. Therefore on our present knowledge no archaeological recommendations are being made on this application.
- 4.37 **Local Plans:-** No comments to make on this application
- 4.38 **Essex Fire Authority:-** Access for fire service is considered satisfactory, the applicant also to be advised that there may be the need for additional water supplies for fire fighting.
- 4.39 **English Nature:-** Are satisfied with the proposals relating to protected mammal species, given the updated survey results May 2005. Recommend, though, that further surveys are undertaken in order to ascertain the presence or otherwise of reptiles/amphibians; if found then appropriate mitigation needs to be put in place.



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- 4.40 **Essex Police Architectural Liaison Officer:-** No objection in principle, suggests that the scheme be implemented using secured by design principles (including bollards, lighting, glazing, alarms and CCTV). In addition they recommend on site security would be beneficial as these sites do attract out of hours visitors and they should not contribute to a rise in crime.
- 4.41 **Rochford Parish Council :-** No objection
- 4.42 **Essex Wildlife Trust:-** there will not be any adverse impacts upon protected species at the site. The landscape bund will offer an increased local habitat which would be of benefit to local wild life.
- 4.43 **Head of Housing, Health and Community Care:-** No objections, subject to the imposition of conditions to control the burning of waste material, the hours of use of the car wash and the valet centre shall not be outside 0800 – 2000 on any day, and informatives requiring the applicant to contact the department to discuss the potential for a permit for the petrol filling station as well as an environmental rating for buildings and that standard informative SI16 should also be attached.
- 4.44 **Woodlands Officer:-** The revised planting to the buffer strip is acceptable, but concerned about the ornamental nature of the planting for a site in the countryside, Green Belt and adjacent to the countryside park. I am aware of the issues connected to the airport, but there are no trees planned for the first part of the site. It will look stark.
- 4.45 **Southend-on Sea-Borough Council:-** The Borough Council have previously accepted the car dealerships for this site, given that this application proposes development on part of the site farthest from the residential properties in Borough. However, the impact upon these properties should be assessed and mitigated where needed. Disappointed that no planting is proposed between Britannia Business park and the site, the green travel plan should be fully adopted, and questions the payment of monies to the Borough via the S106; suggest that the land taken for car dealerships is greater than the 50% stipulated by condition.
- 4.46 **County Highways Officer:-** No objections, subject the layout complying with ECC engineering standards, details of display areas shall be agreed by LPA in order to ensure that drivers along Cherry Orchard Way are not distracted, in addition measures should be taken to reduce as far as possible vehicles parking on Cherry Orchard Way, each unit should be served by operational street lighting, if the scheme of internal roads is for adoption then they should be built to adoption standards.
- 4.47 **London Southend Airport:-** No objections.



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- 4.48 **Environment Agency:-** Object to the scheme, given that SUDS are not incorporated into the development and if other systems are chosen like attenuation measures then the discharge should be no greater than the green field rate and that it should take account of the 1 in 100 years event. The Agency would require additional calculations in order to ascertain whether the proposed system would be appropriate.
- 4.49 3 letters of objection have been received that comment in the main on the following issues:-
- 4.50 Blot on the landscape, decrease in property values, noise and disturbance during the construction period, landscaping should be put in place to help residential amenity, light spillage and light pollution would be harmful, detract from the rural amenity of the country park, especially nocturnal animals, light pollution will spoil the night sky for astronomical research, lack of diverse business opportunities' too many car dealerships, traffic will increase dramatically and may cause localised congestion, not sure of the viability of the petrol filling station.

### **MATERIAL PLANNING CONSIDERATIONS**

- 4.51 **Fast Track-** Members may recall that this application was reported under the fast track system in August. At this Committee Members raised a number of issues and points of interest that needed clarification. These issues and points were forwarded to the applicant and have been appended to the this report in Appendix 1. The applicant's response to the items raised is appended to this report in Appendix 2, which is self explanatory other than regarding the following issues.
- 4.52 The applicant has confirmed within Appendix 2 that it is their intention to provide a 24 hour security presence on the site; this should help to mitigate the fear of crime and also limit the potential for 'boy racers' to cause a material loss of residential amenity. In addition the 24 hour surveillance should also inhibit the use of the site for lorry and other on street parking. Notwithstanding this, the carriageway layout/design is sufficient for vehicles to be parked/waiting without interfering with the operational logistics of the remainder of the site.
- 4.53 The scheme proposes cycleway links across and through the site to link with the existing highway network; this level of provision is considered appropriate. In addition the green travel plan accompanying this submission comments that in the region of 50 cycle stands needs to be provided close to each of the commercial units. A condition is recommended that seeks to control the number and siting of the cycle stands.
- 4.54 **The Principle:-** The principle of the redevelopment of the site for industrial and business purposes has been accepted by virtue of the Outline Planning Permission 00/00005/OUT. This permission was subject to a number of planning conditions; the main one in relation to the principle is that the site should not involve more than 50% (in area) car dealerships.



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- 4.55 The applicant contends that the petrol filling station and the valeting centre are not directly part of the car dealerships and therefore the car dealership buildings, car parking and access road all amount to 50% of the land area the subject of the outline permission. This is in line with condition 3 of the outline consent which requires no more than 50% of the total area to be car dealerships and associated areas (it does not refer to the bodyshop/vehicle preparation and petrol filling station).
- 4.56 The application site is allocated as industrial/employment land within the Local Plan. It is accepted that the site abuts, adjoins the open countryside/Green Belt, however the site should be assessed against the employment/industrial policies of the Local Plan. However, given the outline consent, the principle of the proposed uses does not fall to be considered.
- 4.57 **Parking Provisions/Access:-** There are no engineering objections to the proposed access and road layout details. The car park specifications, as enclosed within the applicant's response in Appendix 2, are considered sufficient to meet the likely need.
- 4.58 The County Highways Officer expresses some concerns over the potential distractions for/to road users of Cherry Orchard Way and that indiscriminate vehicle parking may occur on Cherry Orchard Way.
- 4.59 On these issues it is considered that the proposed use has previously been accepted and as such the principle of motor vehicle dealerships can not now be resisted.
- 4.60 Experience of dealerships in other parts of the district and in neighbouring districts is that there is a tendency for vehicles for sale to command a high public presence as these areas are very much the dealerships' 'shop window'. Given acceptance of this use on the site it would be inappropriate for the Council to sustain an objection against the vehicle display areas. Once the scheme has been fully implemented the display areas should be generally static and the likelihood of distraction to users of the Cherry Orchard Way would diminish over time.
- 4.61 Cherry Orchard Way itself is outside the application site and therefore beyond the control of the applicant. The applicant, through the scheme, is providing sufficient car parking to meet the likely need. If indiscriminate parking does, however, occur upon Cherry Orchard Way then this remains a matter for the County Highways Authority.
- 4.62 **Visual Appearance and Design:-** As commented above, the application site is an allocated employment/industrial site within the Local Plan and as such it is very likely that development of the site would result in buildings of a functional and often utilitarian appearance. As such, a refusal based on the scale of the development not being residential or not appropriate development in this 'rural' location could not be substantiated.



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- 4.63 Notwithstanding the above, the applicant has acknowledged that the site does command a gateway location and has designed a range of buildings that possess 'family' features and in design terms are considered to be superior to other industrial buildings on other industrial sites within the district. The modulation and articulation of the proposed buildings, their size, pitched roof and use of different materials all help to mitigate the visual impact of the development. The family group of buildings is also reflected in the shared external finishes to the buildings. All of the dealership buildings, except one, are to be silver. One of the dealership buildings facing Cherry Orchard Way is to be a strident blue in colour; it is considered that the appearance of these dealership buildings, along with the other buildings/structures proposed within this submission, are such that they would not give rise to material harm to the visual appearance of this site and surrounding area.
- 4.64 It is also, as commented above, the intention for the vehicle display areas to be sited so that they are visible to/from Cherry Orchard Way. The applicant is keen that this visual presence is not lost and proposes a grass verge adjacent to the Cherry Orchard Way. This approach is not uncommon for the motor vehicle display dealerships.
- 4.65 Notwithstanding this, the applicant is proposing strips of planting along the central access spine road and also along the northern boundary of the site. These areas of soft landscaping include varied shrub planting that will reach heights of 1 –2m. It is considered that this level of planting when assessed with the extensive existing planting outside the site should provide acceptable screening of the site from the north.
- 4.66 The applicant has confirmed within Appendix 2 that the external lighting design for the whole site has been based on Civil Aviation guidelines, due to the proximity of Southend Airport and this should by definition ensure low-glare installation, along Cherry Orchard Way and throughout the whole development. In addition, there have been no objections to the proposals received from the Head of Housing, Health and Community Care on this issue and is considered acceptable. Notwithstanding this the lighting element of the proposal has been deleted from this submission so that there are further discussions with the applicant on the suitability of the lighting scheme.
- 4.67 **Soft Landscaping:-** The buffer planting strip to the south and western boundaries of the site is considered to be appropriate and is in accordance with the requirements of the outline permission. The soft landscaping within the scheme proposes low storey shrub planting within flower beds. Notwithstanding the Woodlands Officer's comments, the level of planting is considered to be appropriate for its employment/industrial land use allocation. It is also considered that more substantial planting may give rise to issues of habitat creation that may encourage bird-life, which may increase the potential for bird strikes of aircraft using Southend Airport. The applicant is keen to achieve high visibility of the dealerships, which is common to such uses.



- 4.68 **Residential Amenity:-** The supporting documentation with the application confirms that the nearest residential properties in Lunday Close are unlikely to be materially affected in terms of noise and disturbance given the protection offered by the buildings themselves and also the proposed landscape bund around the residential boundaries of the site. To the closest property No 85 Lunday Close it is some 25m to the valeting centre and some 90m to the petrol filling station, and from the properties along the western boundary of the site the development ranges from 130m to 200m.
- 4.69 The Head of Housing, Health and Community Care has no objections to the proposal subject to hours of use conditions. It is therefore considered that a refusal based on the impacts of the proposed development upon residential amenity could not be sustained.

### **RECOMMENDATION**

- 4.70 It is proposed that this Committee **RESOLVES** to **APPROVE** this application, subject to the following conditions:-
- 1 Notwithstanding the details shown on the plans hereby approved, detailed calculations relating to the capacity and the attenuation of the surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall show the bore/capacity of the oversize pipes and that the run off rate from the site shall not be any greater than the existing green field rate.
  - 2 Prior to the development commencing fully specified details showing the siting and number of cycle stands shall be submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented at the site and remain as such thereafter.
  - 3 Notwithstanding the details submitted with this application the valeting centre and the car wash shall not be open/operational outside of the following times:- 0800 – 2000 on any day.
  - 4 The external finishes of the buildings shall be implemented in accordance with the details submitted with this application. There shall be no change to the materials used or the external colour finish unless previously agreed in writing by the Local Planning Authority.

### **REASON FOR DECISION**

The proposal is considered to accord with the terms of the Outline Approval and also is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration including visual impact, residential amenity and character of the area.



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## **PLANNING SERVICES COMMITTEE - 20 October 2005    Item 4**

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### **Relevant Development Plan Policies and Proposals**

CS3, CS5, CS6, of the Essex and Southend-on-sea Replacement Structure Plan

B1 of the Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

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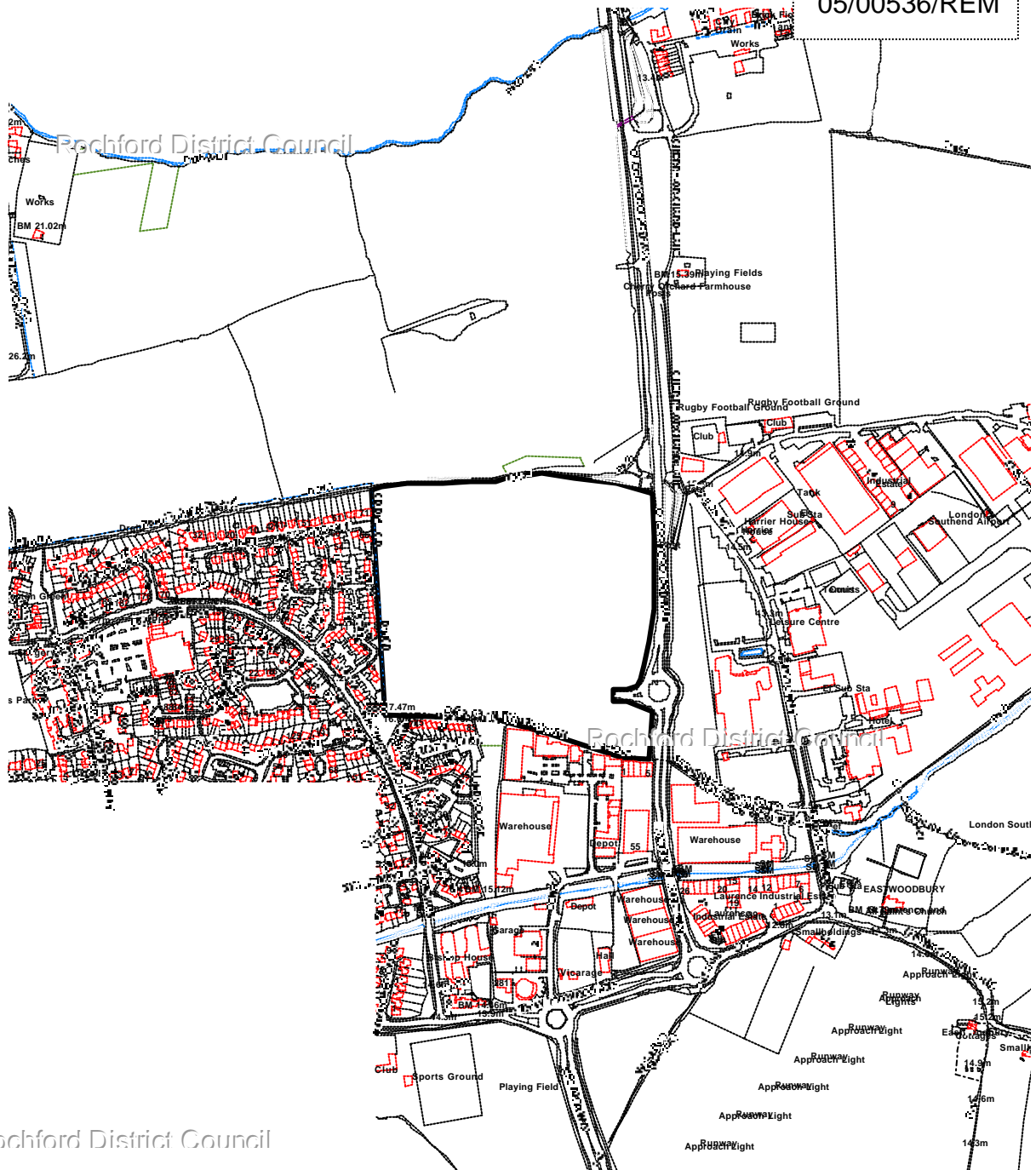
For further information please contact Leigh Palmer on (01702) 546366.



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05/00536/REM



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**TITLE :**                    **05/00674/FUL**  
**REDEVELOPMENT OF THE SITE FOR A TWO STOREY**  
**BLOCK CONTAINING 11 SELF CONTAINED FLATS, SINGLE**  
**STOREY CART LODGE, OVERALL PARKING FOR 11**  
**VEHICLES, CLOSURE OF ACCESS ONTO SOUTHEND**  
**ROAD, SOLE VEHICULAR ACCESS TO THE SITE VIA**  
**HOCKLEY RISE**  
**1 SOUTHEND ROAD HOCKLEY**

**APPLICANT:**            **SPC LTD**

**ZONING:**                **RESIDENTIAL**

**PARISH:**                **HOCKLEY PARISH COUNCIL**

**WARD:**                  **HOCKLEY CENTRAL**

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<b>Site Area</b>	<b>0.13Hectares - 0.3 Acres</b>
<b>Density</b>	<b>85 dwellings per hectare</b>
<b>Mix</b>	<b>11 Flats ( 3 x 1 bed &amp; 8 x 2 bed)</b>

#### **PLANNING APPLICATION DETAILS**

- 5.1 The application site relates to a square parcel of land that is located on the western side of Southend Road at its junction with Belchamps Way and Hockley Rise. The site itself is fairly uniform in terms of its levels but is sited roughly on the crest of rising surrounding land.
- 5.2 The proposal seeks consent for the redevelopment of the site for one building that contains 11 self contained flats. The building has an 'L' shaped footprint and presents frontages onto both Southend Road and Hockley Road. The block is two storey in height and modulated/articulated such that with the use of differing external materials gives the impression of a terrace of individual dwellings.
- 5.3 The scheme proposes access off Hockley Rise to a rear car parking area of 9 spaces (5 of these spaces are to be within a cartlodge adjacent to the northern boundary of the site adjacent to the boundary with Harris Court). There are an additional two car parking spaces located to the front of the building on the Hockley Road frontage.
- 5.4 A new hedge is proposed along the boundary with Harris Court and the rear wall of the cart lodge. A 2m high brick wall, along the boundary with 2A Hockley Rise; and along the frontages with Hockley Rise and Southend Road soft landscaping with tree planting.



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- 5.5 The scheme proposes areas of communal amenity space to the front, rear and side of the proposed building, this amenity space provision accords with the Local Plan standards. Similarly the car parking provision is at 100%.

### **RELEVANT PLANNING HISTORY**

- 5.6 **04/00776/FUL** Demolish Existing Dwelling And Erect Two Storey Block Of 13 Flats And Associated Parking With Access Off Hockley Rise Refused 25.11.2004. This application is currently under appeal.
- 5.7 **05/00023/FUL** Redevelopment of the Site to Provide a Terrace of Three 3-Bed Properties and Two Detached 3-Bed Properties. Access Direct From Hockley Rise to a 'Car Port' for 5 Cars and Open Parking for a Further 5 Spaces. New 2 Metre High Brick Wall Between Site and No 2a Hockley Rise. Resolved to grant planning permission subject to a legal agreement requiring a financial contribution towards the provision of a pedestrian crossing. This legal agreement has not yet been finalised.

### **CONSULTATIONS AND REPRESENTATIONS**

- 5.8 **Hockley Parish Council:-** Members were generally of the opinion that this site, which is prominent on the main road entering the village, is overdue for development. This is the fourth planning application considered for this prominent site, almost eight months having elapsed since the former dwelling house on the site was demolished. The condition of the site has recently worsened following a road traffic accident which resulted in part of the boundary wall being knocked down.
- 5.9 The layout now proposed is similar to a previous application and is likely to be the best that can be expected for this site. Members were of the opinion that road safety hazards could arise during construction work, and it is requested that all deliveries made to the site during construction are made via Hockley Rise and not Southend Road frontage. It is also requested that the developer be asked not to have deliveries made when parents and children are passing the site on their way to Sunny Road school, both in the morning and the afternoon. As the site is close to a complex road junction, drivers of vehicles leaving the site should wash their wheels to ensure that mud or other debris is not deposited on the carriageways. The developer should also be requested not to have vehicles parked near to the junction between Southend Road, Hockley Rise and Belchamps Way at any time as this could cause congestion and danger at this busy junction. The footway fronting the site in Southend Road should be available for use at all times to avoid pedestrians having to step into the carriageway of this busy road. The entrance paths from Southend Road should be combined into one at the Western end of the site, which might discourage callers to leave vehicles on Southend Road whilst making deliveries. Finally, it is requested that the developer considers making a contribution to the construction of an additional pedestrian crossing in the area.



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- 5.10 **Essex Police Architectural Liaison Officer:-** No objection
- 5.11 **Engineers:-** No objection
- 5.12 **Essex County Council Schools Service:-** No contributions are sought.
- 5.13 **Essex County Council Archaeological Service :-** The proposed development site lies outside any area known to have archaeological deposits. Therefore on our present knowledge no archaeological recommendations are being made on this application.
- 5.14 **Environment Agency:-** If protected species are thought to be present then an appropriate survey and mitigation should be put in place
- 5.15 **County Highways:-** No objection subject to S106 £15,000 towards the construction of a new pedestrian crossing facility in Southend Road, further conditions regarding access and visibility splay details.
- 5.16 **County Urban Designer:-** The frontage to Southend Road is acceptable apart from the disposition of the windows in the asymmetrical gable which should be centred below the apex of the roof rather than placed in the middle of the wall.
- 5.17 The Hockley Rise frontage would be improved if the car parking could be repositioned behind the building or at least away from the front of the building. I would also like to see some side elevations because part of this block is deep plan and I don't know whether a double span roof is proposed or it has a very shallow pitch, which would not be appropriate. In addition a roof plan is needed to illustrate how the roofs abut.
- 5.18 Conditions which cover the detailed design should also be placed on any consent granted to ensure that the proper gauged flat brick arches, pentice boards in render and smooth float render are specified.
- 5.19 55 Letters of objection have been received commenting in the main on the following issues:-
- Very busy junction
  - Little visitor parking in surrounding streets
  - Local roads are congested
  - Poor visibility in both directions
  - Streets are used for school run
  - Additional burden on local infrastructure (schools, doctors, dentist)
  - Block of flats in this location would be offensive
  - Two cars per flat will mean on street car parking
  - Flats not in keeping with the area
  - School runs safety issues
  - Noise and disturbance during the construction period



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- Prominent site at the gateway to Hockley; the development should reflect this important location
- Not profit before suitable scheme
- Area is detached and semi detached properties; this development should reflect this
- Overcrowded development
- Highway safety
- Flats recently developed near the Hockley Station, no need for additional flats
- Family accommodation is required
- Devaluation of property values
- Local drainage cannot cope
- Loss of the existing building and hedgerow has affected the character of the area
- Previous application for very similar development was refused planning permission, so what has changed in this scheme to warrant approval
- Garage area to the rear will become unsightly and a dumping ground for rubbish which will detract from the character of the site and surrounding area
- Lack of amenity space
- Increase in pollution
- Loss of privacy through direct overlooking
- Likely to be multi occupancy flats given the high house price
- Flats will dwarf the surrounding properties
- Affordable family housing is needed

## **APPRAISAL**

- 5.20 The key issues to assess in determining this application are:- principle; scale; design; and appearance; access/parking; amenity provision; relationship and landscaping.

### **Principle**

5.21 **RESIDENTIAL**

There is no objection in principle to residential redevelopment of the site given its location within the main residential area of Hockley. The proposal would accord with both Government, Structure Plan and Local Plan policy that seeks to steer development to appropriate sustainable sites and maximise the sites' developable potential.

5.22 **DEMOLITION OF THE EXISTING DWELLING**

The 'Whitehouse No 1 Southend Road has been demolished prior to the submission of this application. The site is now vacant whilst still retaining hardcore/rubble from the demolished building.



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**5.23 SCALE, DESIGN AND APPEARANCE**

The proposed building is of a two-storey form with the height varying across the frontages. Essentially the frontages are formed from 7 blocks of built form that are linked together and set back from the road by between 3m – 4m on Southend Road and 7m - 8m on Hockley Rise. The continuous frontage is maintained by access to the rear parking area being provided by bridging over at first floor level to create a drive through. On the rear elevations of the building some of the first floor accommodation is provided using well-proportioned pitch roof dormer windows.

5.24 The proposed building is not of an excessive height and bulk. Indeed the locality is characterised by two storey built form with houses and chalets in Hockley Rise and Southend Road and Harris Court (sheltered flats) in Hillcrest Road to the North. As such, the proposal would not be out of scale or character with its surroundings.

5.25 In the main the heights proposed are 9m or below and thus not greater in bulk or scale than a two storey dwelling house. The highest point of the development is the corner element, which is 10.5m (to the chimney top), with a ridge height of 9.3m. Given that this is the corner of the site furthest from the neighbouring dwellings this is not considered excessive.

5.26 The design proposed is traditional in approach and would create movement in the street scene along with a continuous frontage to both Southend Road and Hockley Rise that is defined and has interest. This is enhanced through the use of a variety of materials on each block of built form and well-composed fenestration.

5.27 The county urban designer raised concerns about the position of the window at first floor level in the asymmetrical gable fronting Southend Road. A condition is recommended seeking further details on this issue.

**Access/Parking**

5.28 It is proposed to form a vehicular access for the development from Hockley Rise and the existing access from Southend Road is to be blocked off.

5.29 The County Surveyor (Highways) raises no objection to the proposal, provided that suitable vehicular and pedestrian visibility splays are provided both along Southend Road and for the new access. Should Members be minded to approve the application these elements can be secured through the imposition of appropriate conditions.

5.30 Parking provision is 11 spaces, providing 1 space per unit with adequate turning area. Given current Government guidance in PPG3 and 13 and the adopted parking standards contained in Supplementary Planning Guidance Note 1, a provision of one space per unit is considered acceptable. This is reinforced by the location of the site on a main through route in the district with bus stops in close proximity and Hockley Town Centre within walking distance.



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- 5.31 The location of two of the parking spaces is not absolutely ideal, as pointed out by County Urban Designer. However, this arrangement has been accepted elsewhere and there will be landscaping provided to screen the spaces.

**Amenity Areas**

- 5.32 The total provision of communal amenity space for the scheme is in the region of 300 square metres. This level of communal amenity space accords with the Local Plan Standards.

**Relationship to Existing Properties****5.33 PHYSICAL BUILD**

The footprint of the proposed flats is substantially different to that of the previous dwelling on site. Whilst the proposed footprint would cover a higher percentage of the site it would not be as deep as the previous dwelling. As such, the resultant back to side and back-to-back relationships with the adjacent house in Hockley Rise and the flats in Harris Court are considered acceptable.

- 5.34 In particular the distances from the blocks that would have a rear elevation facing 2a Hockley Rise are 23 and 24 metres (to the boundary of the site) and the back to back distances between Harris Court and the elements that would face it are between 18 and 23 metres. The siting and distances to neighbouring plot boundaries are such that the application cannot be resisted on the loss of amenity to these properties through overlooking.

- 5.35 The element of the proposal sited next to 2a Hockley Rise would be 9 metres in height and set some 6m from the boundary with this dwelling, where a garage is located to serve this dwelling. The proposal would not project beyond this property to the rear and therefore loss of light to this dwelling cannot be substantiated. To the front the proposal would sit 2m in front of the main wall of this property and whilst this would change the setting of this dwelling in the wider street scene it would not lead to loss of light to this dwelling. There is one window proposed that would face 2a Hockley Rise, this could be controlled by condition to be obscured glazed.

**ACTIVITY**

- 5.36 The application proposal would see an additional 10 units introduced on the site that would undoubtedly increase the activity and vehicular movement in the locality when compared to the single family dwelling that previously occupied the site. However, the County Highways officer has not made any comments in relation to highway capacity or congestion.



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- 5.37 The scheme proposes 9 spaces to the rear of the site, the activity associated with this car parking is considered to be mitigated by the proposed cart lodge building and 2m high brick wall along the boundary with 2A Hockley Rise.

**Miscellaneous**

- 5.38 **TREES/LANDSCAPING**  
The applicants have provided an indication of the landscaping scheme that they propose for the site should Members be minded to approve the scheme.
- 5.39 The landscaping scheme proposed would soften the appearance of the built form when approached from either direction along Southend Road. A mixed hawthorn/holly/hazel hedge is proposed to the frontage with Southend Road and Hockley Rise and the dwarf wall is to be replaced with a 1m fence.
- 5.40 Three new trees are proposed on the corner of the site, 2 Mountain Ash and 3 Field Maples. These trees, combined with the hedge and fence, will provide screening for the amenity area. Within the site the landscaping consists of lawned areas, shrubs and paths around the buildings.

**CONCLUSION**

- 5.41 It is considered that the residential redevelopment of this site is acceptable in principle. The design proposed is of a size and scale that would be acceptable in the street scene of the locality. The development would not have a material impact on the amenities of the occupiers of adjacent/nearby properties and would comply with the Council's adopted spatial standards for residential development.

**RECOMMENDATION**

- 5.42 It is proposed that this Committee **RESOLVES to APPROVE** the application, subject to a **LEGAL AGREEMENT** appropriate or other mechanism covering the following:
- a) The applicant to provide a contribution of £15 000 towards the construction of a new pedestrian crossing facility in Southend Road.

And the following heads of condition:

- 1 SC4 Time Limits
- 2 SC14 Materials to be submitted (to include gauged flat brick arches, pence boards and smooth float render)
- 3 Provision of bat tiles to ridge of new roof
- 4 SC22A PD Restricted – Windows
- 5 SC23 PD Restricted – Obscure Glazing



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- 6 SC50A Means of Enclosure – full
- 7 SC59 Landscaping Details – full
- 8 A 4.5m x site maximum visibility splay to be provided along the site frontage with Southend Road, clear of ground level.
- 9 SC66 Pedestrian Visibility Splays
- 10 SC64 Visibility Splays – Details
- 11 SC68 Vehicular Access – Details
- 12 Notwithstanding the details shown on the plans hereby approved, prior to any development commencing on the development hereby approved, a roof plan shall be submitted to and approved in writing by the Local Planning Authority.
- 13 The details as submitted shall include a double pitched roof over the central block building onto Hockley Rise.
- 14 SC76 Parking and Turning Space
- 15 SC90 Surface Water Drainage
- 16 SC91 Foul Water Drainage
- 17 Notwithstanding the details shown on the plans hereby approved, revised first floor window details of the northern most unit shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site and be retained as such thereafter.

### **REASON FOR THE DECISION**

The proposal is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration, including residential amenity character of the site and surrounding area, and highway congestion safety issues.

### **Relevant Development Plan Policies and Proposals**

H16, H11, H24, TP15, UC7 of the Rochford District Local Plan First Review

HP6, HP11, HP18, TP9 of the Rochford District Local Plan Second Deposit Draft

BE1, H3, H4 of the Essex and Southend-on-Sea Replacement Structure Plan



Shaun Scrutton  
Head of Planning Services

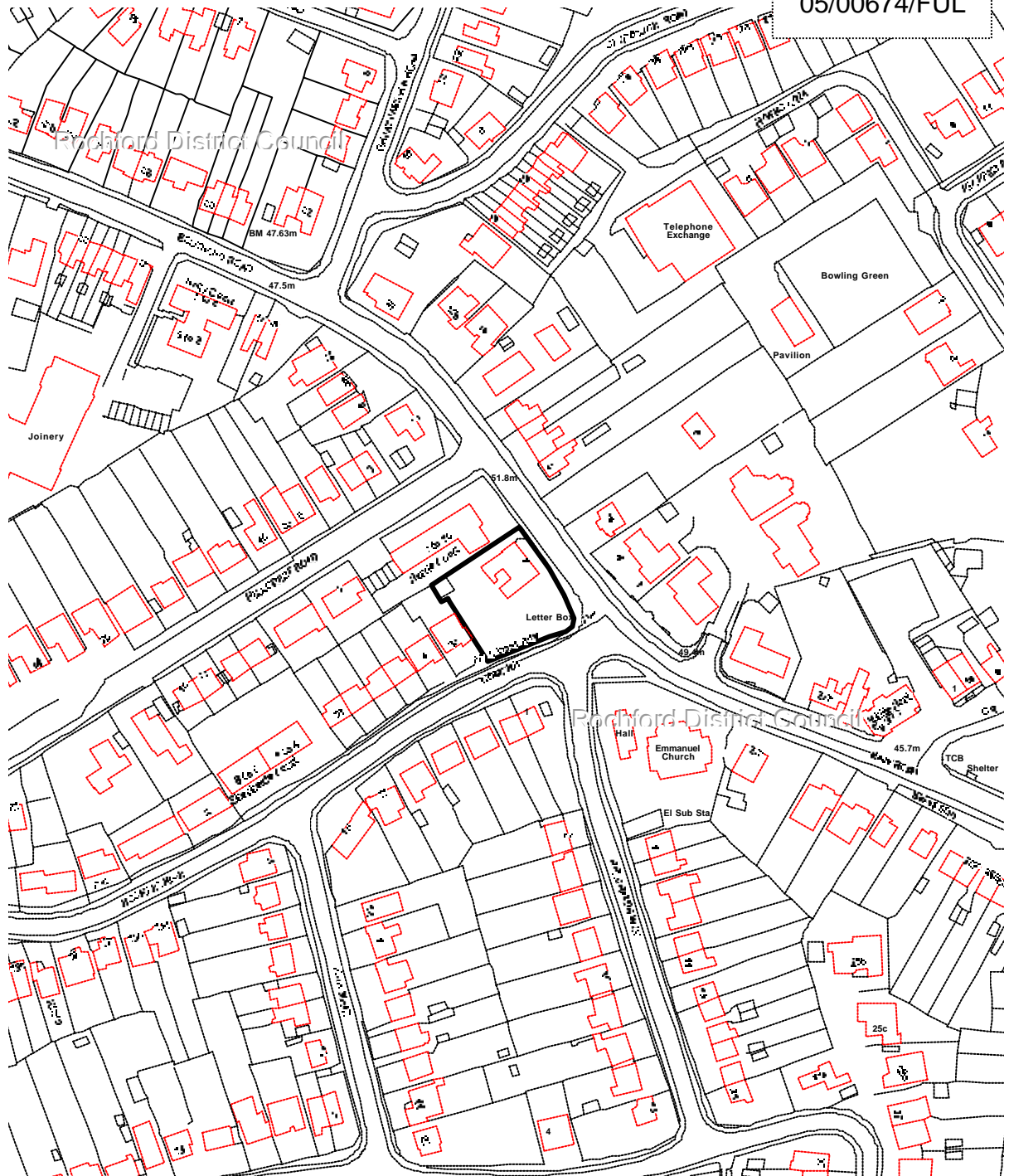
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For further information please contact Leigh Palmer on (01702) 546366.



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05/00674/FUL



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**TITLE :** 05/00679/ FUL  
REVISED APPLICATION FOR THREE STOREY BUILDING  
TO PROVIDE 29 SHELTERED APARTMENTS AND THREE  
SHOP UNITS  
AT LAND NORTH OF MARKET SQUARE/WEST STREET  
AND WEST OF NORTH STREET

**APPLICANT :** McCARTHY AND STONE (DEVELOPMENTS) Ltd

**ZONING :** PROPOSED SUPERMARKET (POLICY SAT 20)

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD

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#### **PLANNING APPLICATION DETAILS**

- 6.1 This application is to a site to the rear of existing properties which front onto North Street and between the access adjoining the Post Office and access to the former Roche Close. The site has an area of 0.14ha (0.34 acres). The site currently accommodates land bounded by walls to the outer grounds of the former Rochford Hospital. Accommodation works are underway readying the site for the implementation of the permission considered at the meeting of 26 July this year for the wider redevelopment of the greater site in a mixed scheme of supermarket, shops, flats and sheltered housing.
- 6.2 The current application is a revision to a scheme considered twice previously under applications 03//00947/FUL and 05/00332/FUL which both approved a scheme for 34 units in two and three storey form.
- 6.3 The current application proposes 29 sheltered units comprising 21 one bedroomed units and six two bedroomed units. In addition, the building would accommodate a guest bedroom, which does not have any kitchen facilities. The ground floor layout includes a resident's lounge and office, together with refuse area and laundry room. The previous scheme provided for 17 one and 17 two bedroomed units.
- 6.4 The current application proposes three shop units to ground floor with reserved area enclosed for commercial refuse.
- 6.5 Seven car parking spaces are provided in an undercroft parking arrangement below the wings of the upper floor, similar to the previous scheme.



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- 6.6 The current scheme includes the provision of an enclosed storage area for four electric mobility vehicles following Members' concerns for such provision in the consideration of the previous scheme.

**RELEVANT PLANNING HISTORY**

- 6.7 The application site is part of a greater site to which there have been recent proposals for comprehensive development. Within this history the following applications are relevant.
- 6.8 ROC/479/89  
Erect 42 Sheltered Housing Units - Approved. This permission is understood to have commenced by way of access/ highway works to the site.
- 6.9 95/00051/ROC  
Renewal of application ROC/479/89 permission refused for the following reason:  
"The application falls within an area designated as a site for a retail food store in the Rochford District Local Plan First Review as now modified and as such the Proposed Residential use is contrary to the provisions of the Local Plan First Review Policy SAT 20"
- 6.10 03/00947/FUL  
(A) Two and three storey building containing supermarket, Library, 3 No. Shops, 42 No. Flats (1-bed, 2-bed, and bedsits) and basement car park  
(B) Two and three storey building containing 34 No. Flats (1-bed and 2-bed) car parking and associated works  
(C) Two, three and four storey building containing 73 No. flats (1-bed and 2-bed) car parking and associated works  
Permission granted 4 March 2005
- 6.11 05/00262/FUL  
Resurface car parks and pedestrian link, provide bollards to access alignment, enclose car parks with 1.8m high railings and brick wall and construct 7 car parking spaces.  
Permission granted 7 June 2005
- 6.12 05/00332/FUL (summarised)  
Revised application for Block A: Two and three storey building containing supermarket, Library, 3 No. Shops, 42 Flats, involving re siting, two electrical sub-stations, provision of sliding gate, revised car parking layout.  
Block B: Two and three storey building containing 34 Sheltered Flats (17 two bedroomed and 17 one bedroomed) and three No. shops and involving revised elevations and revised car parking layout.  
Block C: Two, three and four storey building containing 73 flats  
Resolved to approve at the meeting of 26 July subject to addendum to existing Legal Agreement on application 03/00947/FUL



**CONSULTATIONS AND REPRESENTATIONS**

- 6.13 **Rochford Parish Council** - No Objections.
- 6.14 **Environment Agency** - No Objections.
- 6.15 **Essex Police Crime Reduction Manager** - Requests extension of time to respond.
- 6.16 **Essex and Suffolk Water** - Express concern at possible presence of mains in the vicinity of the development. Request details of the scheme.
- 6.17 **London Southend Airport** - No Objections.
- 6.18 **English Nature** - Advise that the proposals are not likely to affect an SSSI. Advise further that if protected species are present or suspected to be present on the site the applicant should provide an ecological survey to establish the species concerned and effects on the species of the development.
- 6.19 **Essex County Council Specialist Archaeological Advice** - Advise that the site has been fully evaluated and no important archaeological deposits identified. No recommendations to make.
- 6.20 **Buildings/Technical Support (Engineers)** - No Objection. Advise Public Foul and Surface Water Sewers adjoin the site. Questions whether sustainable surface water drainage system considered and status of the Access Road.

**MATERIAL PLANNING CONSIDERATIONS**

- 6.21 **Design Considerations**  
The proposed building would have a similar footprint to that previously approved. The proposed building is slightly less in length by 3m. The width at the northern end fronting the main access would be 0.3 less in width. The width of the building at the southern end would be less by 0.8m. The internal layout of the building is revised increasing the width of the retail frontage by 1m. The refuse storage area is reduced but a laundry room added. The main entrance to the building is moved from the centre of the northern elevation in the previous scheme to the rear eastern elevation adjoining the car park.



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- 6.22 The building proposed generally includes the previous mix of external finishes and treatments comprising red ocre render and red stock brickwork in combination with white feather edge boarding and yellow stock brickwork to contrasting elements. Alternative white render and black feather edged boarding is used also in the elevations. The walls feature a brickwork plinth. The roof tiles are a mix between pantiles, slate tiles and plain tiles common to the previous scheme and previously considered appropriate and sympathetic to the character of the Rochford Conservation Area. It is, however, considered necessary to include a condition requiring samples to be agreed as part of any approval that might be given.
- 6.23 The building proposed is to an overall height comparable to that previously found acceptable. The current application, however, provides a more accurate representation of the levels on site giving the impression of a slight increase in height by 1m or so. More accurate measurement from features common to the building demonstrates a variation between the approved and proposed schemes of only 0.1m. The southern end of the building is demonstrably lower in the current proposal as compared to the previous scheme by 1m.
- 6.24 The proposed building incorporates revisions to the windows and openings and variances in the width and proportions of the constituent elements to accommodate the internal revisions. The gabled return onto the northern access road is less of a feature in the current proposal.
- 6.25 The design aspects of the appearance of the development amount to a variation on the themes and proportions already established by the previous permissions. The differences do not materially harm the character and setting of the building as previously considered and are considered equally acceptable in Planning terms. The overall mass and scale of the building will relate to the composition of the greater redevelopment scheme and would not conflict with the provisions of Policy UC3.
- 6.26 **Amenity Area**  
The proposal shows an amenity area of 205 square metres. This compares to the previous scheme for 34 units which showed provision at 234 square metres. The Council's standards would normally require provision at 25 square metres per unit, in this case some 725 square metres. However, the guidance allows for scope to reduce this figure in town centre locations. Given the proximity of Rochford Reservoir and Millview Meadows informal open spaces, the shortfall on the application site can be accepted in Planning Terms.



**6.27 Car parking**

The previous scheme provided for 26 car parking spaces to serve the building. The current application reduces the undercroft car parking area by one space to provide an enclosed commercial refuse storage area. The layout of the car parking area is modified to turn three north-south spaces as previously approved to two spaces facing east-west with the loss of one space. The revised layout achieves 24 car parking spaces to serve the building with 9 spaces dedicated to the sheltered building and segregated from the greater car parking area by the provision of a 1.8m high close boarded fence line.

6.28 The provision of 9 car parking spaces to serve the sheltered element of the scheme equates to the maximum of 9.6 spaces necessary to meet the maximum provision required by the Council's parking standards for sheltered housing at one space for every three units. The previous scheme provided 6 car parking spaces for sheltered residents' use. The balance of a further 11 spaces in the open area of the site are outside the applicant's control.

6.29 The applicant is providing more car parking to serve a reduced number of units to which there can be no material objection. The shortfall on the site overall is accommodated within the public parking area.

**6.30 Means of Enclosure**

The proposal shows the provision of 1.8m high close boarded fencing along the rear boundary of the site and through the car parking area to enclose the communal amenity area and car parking dedicated to the residents of the sheltered accommodation. Spiked topped railings to a height of 1.4m are proposed to the northern elevation fronting the access road and returning to the pedestrianised area along the western elevation to stop before the shops proposed. The railings would enclose an area to the front of the building an average of 1.15m in width. This feature has the effect of reducing the width of the corresponding pavement area and pedestrianised area but not to the extent that the setting of the development as a whole and the movement of pedestrians would be compromised.

**6.31 Comprehensive Development Issues**

The current application is submitted by new applicants not previously associated with the particulars of the previous application. Members will recall that it is considered essential that the overall development should be constructed and implemented together despite the constituent parts. In particular it is considered necessary that the residential elements are not built out in advance of the opening of the supermarket or completion of necessary highway works.



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- 6.32 The existing permissions are subject to a legal agreement under Section 106 of the 1990 Act. Clause 3.20 of the agreement requires no occupation of the flats to Block A and sheltered scheme Block B until the supermarket is open for trading. Clause 3.24 of the agreement requires commencement of the construction of all three buildings at the same time. Clause 3.25 of the agreement requires the developer to enter into a management agreement with a reputable managing agent to provide for the maintenance of the non-adoptable public areas of the site. It is necessary therefore for the current application to be tied into the previous agreement to avoid independent implementation of the current proposal that would otherwise undermine the provisions of the agreement. To this end it will be necessary to ensure that any approval that might be given is incorporated as an addendum to the existing agreement.

### **CONCLUSION**

- 6.33 The proposal amounts to a revision to a previously approved scheme incorporating a reduction in accommodation and changes to the design elements of the building to reflect the operator's requirements. The proposal continues the established design principles for the development of the greater site. The revised appearance of the building would not harm the character and appearance of the setting of the building within the redevelopment scheme or harm the character and appearance of the Rochford Conservation Area.

### **RECOMMENDATION**

- 6.34 It is proposed that this Committee **RESOLVES to APPROVE the application**, subject to the application being included as an addendum to the current Legal Agreement to the existing consent granted under application reference 03/00947/ FUL and to the following heads of conditions and heads of Informatives:-

- 1 SC4 Time limits Full – Standard
- 2 SC14 Materials to be used (Externally)
- 3 All Plant machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed a noise rating level of 5Db(A) below the existing background level when measured according to British Standard BS4142 1997, at a point 1 metre external to the nearest sensitive property, at any time.
- 4 Notwithstanding the submitted plans all windows throughout the development hereby permitted shall be made of timber material with a paint or similar applied finish. Details including plans to a scale of 1:20 of this joinery and the fenestration to all the shop units shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.
- 5 SC59 Landscape Design – Details (Full)



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- 6    No development shall commence, before details of the proposed finished ground floor level of the buildings hereby permitted, in relation to the natural and finished ground levels of the site, have been submitted to and agreed in writing by the Local Planning authority. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.
- 7    SC90 Surface water drainage
- 8    SC91 Foul water drainage
- 9    The sheltered accommodation provided by the development hereby approved shall be restricted to the occupation of persons of a minimum of not less than 55 years of age.
- 10   The use of the floorspace of the building shall be as indicated on the approved plans notwithstanding the provisions of schedule 2, Part 3, Class E to the Town and Country Planning (General Permitted Development Order) 1995
- 11   The flank of the building located adjoining the turning head shall be constructed to withstand vehicle impacts.
- 12   The carriageway the carriageway and footway shall be laid out and constructed to at least road base level prior to the occupation of the building hereby approved.
- 13   A 1.5m x 1.5m pedestrian visibility splay shall be provided on both sides of the vehicle access prior to the first occupation of the building hereby approved.
- 14   The first 6 metres of any private access way shall be treated in bound surface dressing and retained in that form.

### **INFORMATIVES**

- 1    Prior to the first occupation of the building it shall be served by a system of operational street lighting.
- 2    The developer shall provide sufficient turning and off loading facilities for delivery vehicles and parking for employees developing the site and within the site limits
- 3    Cycle Parking facilities should be provided in accordance with criteria set out in Parking standards.
- 4    Any works within the highway should be carried out to the satisfaction of the Area Highways Manager (South).



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**REASON FOR DECISION**

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

**Relevant Development Plan Policies and Proposals**

SAT20, H2, H11, UC3 of the Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

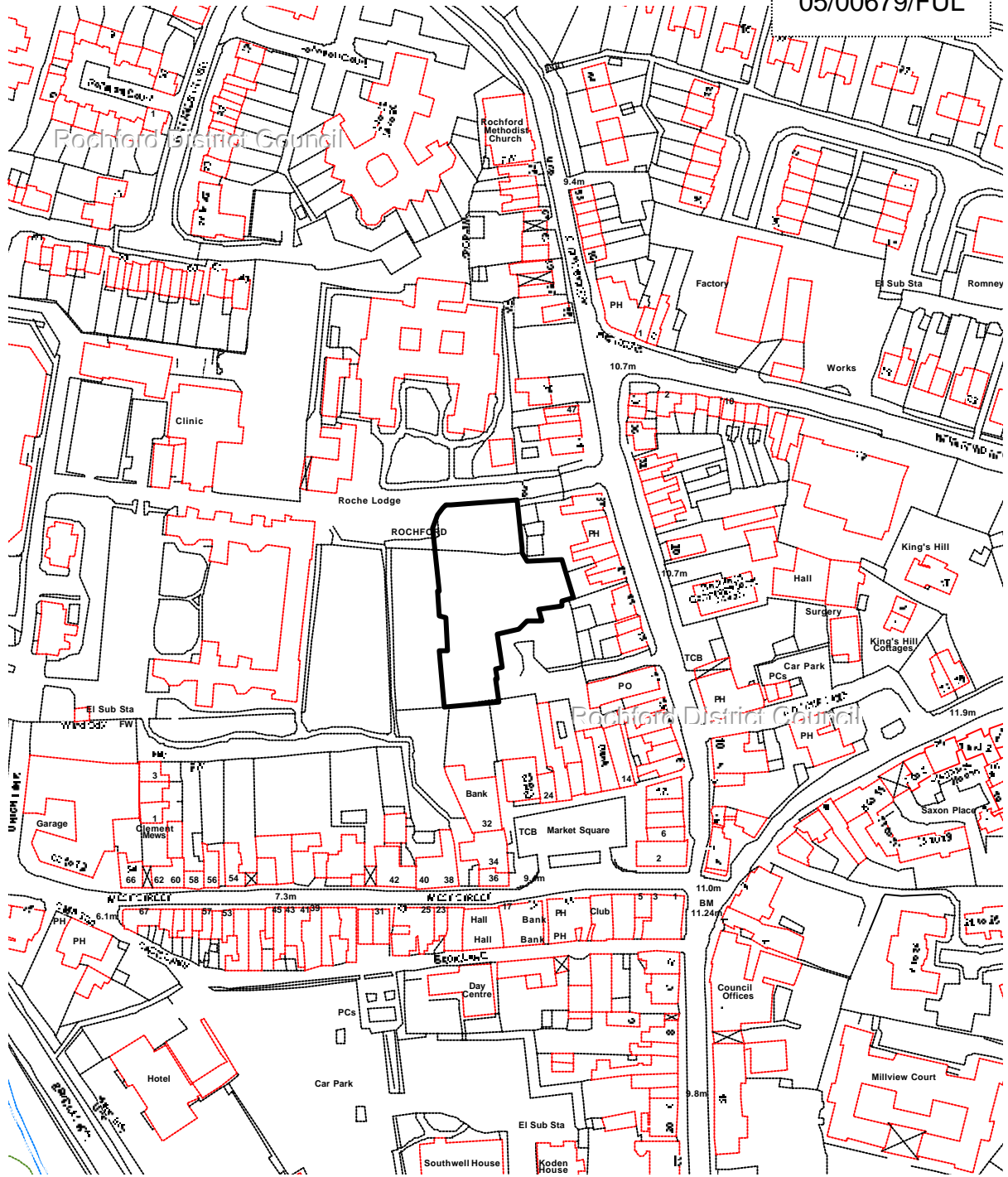
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For further information please contact Mike Stranks on (01702) 546366.



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## **PLANNING SERVICES COMMITTEE - 20 October 2005 Item 7**

**TITLE :** 05/00735/GD  
CIRCULAR 18/84 APPLICATION TO RELOCATE AN  
EXISTING MOBILE BUILDING TO BE USED FOR MOD AS  
SECURITY SCREENING PERSONEL TO THEIR ACCESS TO  
THE SITE  
LAND AT LANDWICK GATE BRIDGE ROAD FOULNESS

**APPLICANT :** AMEY BUSINESS SERVICES

**ZONING :** RURAL LAND OUTSIDE MGB & COUNTRY WILDLIFE SITE

**PARISH:** FOULNESS PARISH COUNCIL

**WARD:** FOULNESS AND GT WAKERING

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### **PLANNING APPLICATION DETAILS**

- 7.1 This case relates to an application submitted under Circular 18/84 (Government Department) applications and advises of their intention to erect a mobile modular building to be used for the screening of personnel prior to accessing the site.
- 7.2 The building measures approximately 6m x 3m x 2.5 m (approximate).

### **RELEVANT PLANNING HISTORY**

- 7.3 A similar application was submitted to this Authority for the same development to the north of this site, under reference 04/00783/GD. This application seeks to move the building to this location.

### **CONSULTATIONS AND REPRESENTATIONS**

- 7.4 **Defence Estates:** No safeguarding objections.
- 7.5 **English Nature:** No comments.
- 7.6 **Essex Highways Officer:** No comments.

### **MATERIAL PLANNING CONSIDERATIONS**

- 7.7 The application site is located within the Metropolitan Green Belt and as such has to be assessed against Government advice and Policy guidance in terms of appropriate development.



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- 7.8 This proposal falls outside the definition of appropriate development within the Green Belt. However, it is considered that taking into account the need for site safety/security the small scale form of the proposal and the national interest that very special circumstances exist. Therefore, it is considered that the development is acceptable within the Green Belt.
- 7.9 The size of the structure and its setting is not considered to materially affect the openness of the Green Belt to such an extent to justify a refusal of planning permission.

**RECOMMENDATION**

- 7.10 Advise the applicant that Rochford District Council have **no objections** to the proposal.

**REASON FOR DECISION**

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

**Relevant Development Plan policies and proposals**

GB1 and C2 of the Rochford District Local Plan First Review

R1 of the Rochford District Local Plan First Review Second Deposit Draft



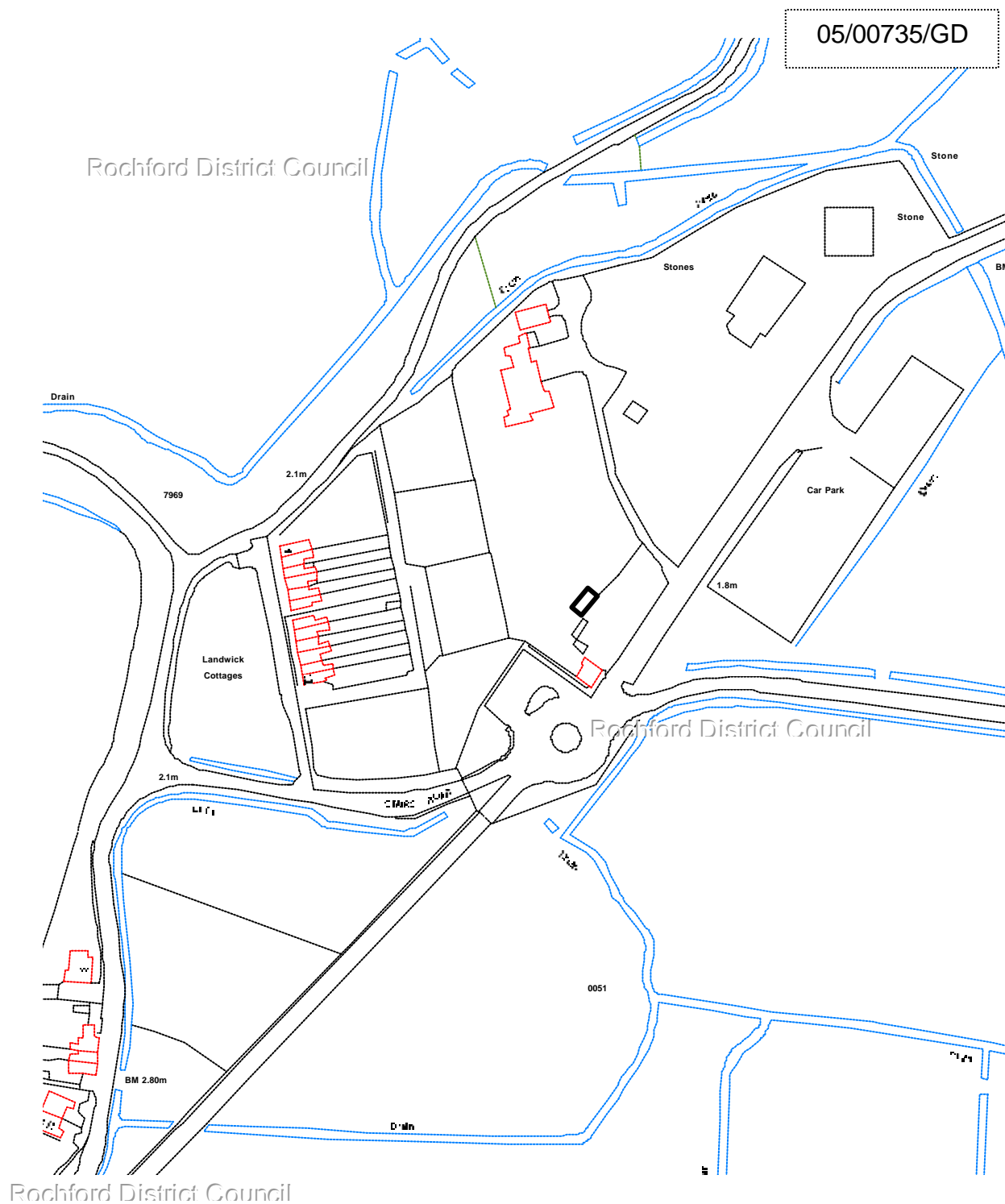
Shaun Scrutton  
Head of Planning Services

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For further information please contact Miss Catherine Blow on (01702) 318095.



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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.**



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