



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING SERVICES COMMITTEE 24th June 2003**

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

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

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

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

PLANNING SERVICES COMMITTEE - 28 June 2003

HAWKWELL SOUTH

Cllr P A Capon

Cllr Mrs H L A Glynn

RAYLEIGH CENTRAL

Cllr R G S Choppen

Cllr A J Humphries

ROCHFORD

Cllr Mrs S A Harper

Cllr Mrs M S Vince

Cllr D A Weir

WHEATLEY

Cllr J M Pullen

Cllr Mrs M J Webster

PLANNING SERVICES COMMITTEE 24th June 2003

SCHEDULE ITEMS

- | | | | |
|---|--|--------------------|---------|
| 1 | 03/00150/FUL
Third Floor Addition To Create Additional Two Bed Flat (Total 10 In Building) Layout Additional Parking Space.
3-5 London Hill Rayleigh | Mr Lee Walton | PAGE 4 |
| 2 | 03/00374/FUL
Demolish Existing House And Erect Two Storey Block Containing 9 No. Sheltered Flats Revised Scheme inc. Third Floor Accommodation In Roofspace Following Approval Of Application Ref: 02/00741/FUL
79 Ashingdon Road Rochford | Mr Peter Whitehead | PAGE 11 |
| 3 | 03/00076/OUT
Outline Application to Erect Two 'Single Span' Storage Buildings
Land North Of BSG Ltd Purdeys Way Rochford | Mr John Wood | PAGE 17 |
| 4 | 03/00302/FUL
Erection Of Two Storey Building Containing 16 No. Flats (3 With Balconies), Together With 23 No. Parking Spaces, Demolish Existing Petrol Filling Station.
Q8 Service Station 543 Ashingdon Road Rochford | Mr Peter Whitehead | PAGE 21 |
| 5 | 03/00108/FUL
Erect 6-Bed Two Storey Dwelling with Rooms in Roof (Revised and Retrospective Application Following Permission 99/00638/FUL)
12 Leslie Road Rayleigh | Mr Peter Whitehead | PAGE 30 |

TITLE : **03/00150/FUL**
THIRD FLOOR ADDITION TO CREATE ADDITIONAL TWO
BED FLAT (TOTAL 10 IN BUILDING) LAYOUT ADDITIONAL
PARKING SPACE
3 – 5 LONDON HILL, RAYLEIGH

APPLICANT : **ASPECT DEVELOPMENTS LTD**

ZONING : **CLASS B1 BUSINESS, CONSERVATION AREA**

PARISH: **RAYLEIGH TOWN COUNCIL**

WARD: **WHEATLEY**

PURPOSE OF THIS REPORT

- 1.1 This report relates to an application for full planning permission. The applicant has appealed with regard to this matter and the non-determination of the application to the Planning Inspectorate. The purpose of this report therefore is to clarify the position of the Authority with regard to the proposal and the approach to be taken at the appeal (if it proceeds).

PLANNING APPLICATION DETAILS

- 1.2 The location of the proposed development is atop of the recent development for a two/part three-storey block comprising residential flats and two office units at ground floor level (ref:01/0728/FUL). The proposal is for a third floor (fourth storey) addition to create an additional two bedroom flat layout and an additional parking space. A design statement prepared by a historic building advisor and a planning statement prepared by a planning agent have been submitted in support of the proposal.
- 1.3 The proposal is in line with Planning Policy Guidance Notes (3 – Housing, 6 – Town Centres and 13 - Transport). Other considerations include the effect the proposal will have on the Rayleigh Conservation Area and the setting of Listed Buildings.

RELEVANT PLANNING HISTORY

- 1.4 An application (ref: ROC/0133/79) was submitted in 1979 for a 2/3 storey office building and permission was granted on 24th July 1981. Whilst this was not built a technical start was made on the development, which therefore remained extant (an LDC was submitted and established this in 1999). The proposal was similar to:
- 1.5 01/0728/FUL for a 2/3 storey block of seven 2-bed flats, two 1 bedroom flats and two office units for which permission was granted on 22nd November 2001.

CONSULTATIONS AND REPRESENTATIONS

- 1.6 **Rayleigh Town Council** – Object as the development does not respect the scale, form and character and is an over development of the street scene.
- 1.7 **County Planner (Historic Conservation)** – Having seen the additional drawings (following an earlier letter drawing attention to the lack of detail shown but accepting the penthouse could be made to look attractive and subject to acceptable details I think it would be acceptable) of the proposed penthouse, I have no objections to the design of the structure itself, which is quite attractive. However, having seen the building on site, I cannot think that it is really necessary or would improve the design in any way. An undesirable result of adding this structure is that it would ‘give the game away’, regarding the existence of the hidden flat roof. This was a necessary part of the original design, but visually undesirable and alien to the vernacular tradition, and was thus camouflaged by the pitched roofs. The sight of the top half of the penthouse only appearing on top of the building would kill this illusion. On balance, therefore, I would not recommend the application for permission.
- 1.8 **Rayleigh Civic Society** – We are totally opposed. The addition of this flat will destroy the appearance of the building. It will give the appearance of an after thought, which is what it is, and will be no credit to the architect. Situated in the heart of the Conservation Area and a few yards from a Grade II Listed Building (Church), the development will be over dominant, made even more prominent by the cupola, in our opinion completely out of keeping with the design of the building.
- 1.9 **County Surveyor (Highways)** – No objection, but concerned that the parking layout as shown would not work. It is suggested that space 1 is removed adjacent to office 1 and parking space office 2 is removed all together. (The applicant’s revised drawings have accepted this.)
- 1.10 **Environment Agency** – No objection.
- 1.11 **Anglian Water** – No comments.
- 1.12 Two householder notification responses:
 - Out of keeping, with the surrounding buildings.
 - It is inappropriate for a brand new building to apply for an extension of an additional floor before the building is fully completed.
 - Obscures the view of the church
 - It is quite unsuitable for this end of the High Street.

MATERIAL PLANNING CONSIDERATIONS

- 1.13 The principle of additional residential accommodation and car parking provision for the site is accepted and accords with general planning policy guidance. The main consideration still to be addressed and requiring further attention centres on the visual impact of the proposal and its design and how this affects the surrounding area, which forms part of the Conservation Area as well as the setting of Listed Buildings.
- 1.14 There are two duties placed on the decision maker by the Planning (Listed Buildings and Conservation Areas) Act 1990. For Listed Buildings, section 66.1 requires their setting to be considered by the LPA who: *'Shall have special regard to the desirability of preserving the building or its setting or any special features.'* In Conservation Areas: *'Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area,'* (section 72.) Preserving the character or appearance of a conservation area can be achieved not only by a positive contribution to preservation, but also by development which leaves the character or appearance of the area unharmed. (South Lakeland District Council case).
- 1.15 The proposed development sits atop a recently completed 2, part 3 storey development erected under ref: 01/0728/FUL, and forms a fourth level which in appearance will have an obvious flat roof visible from the surrounding area.

Listed Buildings

- 1.16 The site is located between the town's two focal points: the Church Tower and Windmill. The additional fourth floor penthouse will at certain points cause a reduction and possible loss of views of these historic buildings - viewed from certain directions; notably from in front of Amigo's and the Civic Suite threatening the view of the top of the Windmill and from Bellingham Lane and the area off, nearer the windmill, where there is a threat to views of the Church Tower. Whether the loss of views, admittedly restricted, is sufficient to warrant refusal is questionable.

Scale and Mass

- 1.17 This part of the conservation area in Church Street, London Hill and Bellingham Lane is made up of predominantly 2 and 1 and half-storey buildings, which are of a different scale to the existing 3 storey building on site and to the proposed 4th storey penthouse. Other than this site there are no other 3 or 4 storey buildings in this immediate area, which also represents one of the highest points in the town centre. The proposal gives rise to an increase in overall scale and height of the existing building. To some degree the presence of the fourth floor will be hidden from street level, but there will still be glimpses, shown in the applicant's supporting information (penthouse is superimposed on photographs of the site). The argument presented by the applicant suggests that the proposal will have little impact when viewed from nearby, while having a dominant silhouetted presence from afar. In fact, what we have with this proposal is an increase in scale and height and a resultant change in appearance of the building. The current development's style and form with a large pitched roof and extensive range of dormers that dominate the pitches, with the interplay of materials used in its construction – all support the building as a completed range. This is discussed further below.

The Applicant's Design Statement

- 1.18 The applicant's design statement in support of the application draws attention to the fact that:
- The new structure as far as is practical is hidden from view from street level near to the site
 - From a distance, where the penthouse might be visible, the structure should have a significant character.
 - The design and materials must be of a suitably high quality.
- 1.19 The design statement argues for a distinctive silhouette from a distance, with a semi-octagonal corner element to echo the belvederes, which are seen atop 18th and 19th century houses. Several examples exist in Westcliff and Maldon. The materials to be used should have a lightweight appearance.
- 1.20 A further letter in response to earlier criticism following on from consultation responses states that:
- Historically, flat roofed areas' are not an unusual device. Many deep plan houses of the 18th and 19th centuries have large areas of leaded flat roofs concealed behind tiled or slated pitches or balustrades.
 - In Essex cupolas, belvederes and gazebos are frequent roof features seen on buildings near estuaries or on high ground.
 - Visibility of the penthouse. Only the cupola is likely to be seen in normal townscape views. From a distance, (where the falsity of the roof implied by the phrase 'give the games away' will be obvious) only the basic forms will be evident. For this reason the cupola and the roof cornice have been carefully detailed to give interesting silhouettes and, similarly, the materials and fenestration are kept simple.

Further discussion

- 1.21 While the structure has been described as quite attractive the cupola atop the belvedere and the decorative finish to the flat roof would be unlikely to contribute significantly to the appearance of this flat roof penthouse due to the position of the cupola which would not relieve the 'bulk' of the flat roof penthouse when viewed from many viewing points. While there are two stated objectives: (1) to hide the fourth storey behind the pitched roof when viewed from close up; (2) to have significant character when viewed from a distance, the theoretical end result of a silhouette contributing to the town's sky-line is no more than this. Seen from a distance it is likely to have little positive impact. It is arguable that similar structures referred to in the design statement and seen elsewhere are likely to be of a different scale and mass related better to the supporting building and with a more positive impact on their respective townscape(s). There is no tradition of similar buildings in Rayleigh.

- 1.22 What is presented to the viewer is a flat-topped roof, an addition, a possible after thought with the cupola turned away from the high Street in this case we have a rear view given to the observer from the environs of the church and Amigo's. Nevertheless, as may be seen from different viewing points to the South West when viewed from a distance the silhouette really would have little impact. As the site exists it has a simple presence. From high up vantage points at the western end of Websters Way the two dominant focal points: the Church and Windmill add value to the skyline. The proposal is unlikely to do the same.
- 1.23 While the proposal introduces an increasingly complex arrangement detracting from the simple qualities of the existing pitched roof when viewed close up: on the one hand the proposal is in part relieved through the use of sympathetic materials and finish detail, but this does not overcome the objections to fitting in an extra accommodation level into the finished development. Had the current proposal been part of the earlier application it is likely this element would have lead to a refusal due to the proposed overall height, scale and mass. The same considerations are more keenly felt now given the size of roof pitch and the 'presence' of dormers that together 'crowns' the existing building. While the pitches create an impression that the development is topped by a traditional pitched roof form, which is sustained by the scale of development as there are no glimpses of a hidden flat roof behind. Not that this is the main concern here. Rather the building's completeness as it stands, and concern that the actual scale – height – that will result if permitted will be over dominant and the style out of keeping for Rayleigh. It is arguable that the proposed penthouse would detract from the appearance of the existing development.

CONCLUSION

- 1.24 Officers' are of the opinion that the proposal detracts from the simple visual qualities and appearance of the permitted building and given the existing height, what with the 4th storey its scale and relationship to the surrounding buildings – the street scene - and potential loss of views of the listed buildings the proposal would not enhance or preserve the character of the conservation area, but would in be detrimental and harmful.

RECOMMENDATION

- 1.25 It is recommended that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to present the following as the position of the Local Planning Authority to the planning hearing in relation to the non-determination of this application:
- 1.26 That, if this Authority had the jurisdiction to determine this application it would have **REFUSED** planning permission for the following reasons:

- 1 The proposal for a fourth level creating a penthouse flat will by its presence detract from the appearance of the building by virtue of the increase in the scale and height of the building and its flat roof form. This would harm the character and appearance of the street scene, designated part of the Rayleigh Conservation Area which in the immediate vicinity of Church Street, London Hill and its junction with Bellingham Lane is primarily a 1.5 to 2 storey scale.

By virtue of the building's additional height there will be a corresponding loss of views from various directions of the Church and Windmill threatening the setting and views of these landmark Listed Buildings.

Relevant development plan policies and proposals:

UC1, UC3, UC7, H11, H16 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

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

TITLE : **03/00374/FUL**
DEMOLISH EXISTING HOUSE AND ERECT TWO STOREY
BLOCK CONTAINING 9NO. SHELTERED FLATS. REVISED
SCHEME INCLUDING THIRD FLOOR ACCOMMODATION IN
ROOFSpace, FOLLOWING APPROVAL OF APPLICATION
REF. 02/00741/FUL.
79 ASHINGDON ROAD ROCHFORD

APPLICANT : **C SANDERSON**

ZONING : **RESIDENTIAL**

PARISH: **HAWKWELL PARISH COUNCIL**

WARD: **HAWKWELL SOUTH**

PLANNING APPLICATION DETAILS

- 2.1 Planning permission was granted last year for the demolition of the existing detached house on the site and the erection of a building containing 9no. sheltered flats in its place.
- 2.2 It is understood from the applicant that interest has been shown in the permission from a firm specialising in sheltered accommodation but that concern was expressed regarding the modest scale of the flats.
- 2.3 The current application proposes the same number of flats as previously approved (9no. flats), but proposes to provide 2 of the flats, together with the visitor's suite, in the roofspace of the building. This enables all the flats to be enlarged.
- 2.4 In order to accommodate the flats in the roof void a number of rooflights and windows within the gable-ends of the building are proposed. The work does not involve any dormer windows or extensions to be building. Some modest changes to the window pattern at first and ground floor are also shown.
- 2.5 In all other respects the building is effectively the same as the building already approved under ref. 02/00741/FUL.

RELEVANT PLANNING HISTORY

02/00741 - erection of two storey block containing 9no. sheltered flats - APPROVED

01/00269 - erection of part three storey, part two storey block containing 10no. Elderly persons flats - REFUSED, APPEAL DISMISSED

99/00726 - outline application for part three storey, part two storey block containing 14no. retirement apartments - REFUSED, APPEAL DISMISSED

CONSULTATIONS AND REPRESENTATIONS

- 2.6 **Hawkwell Parish Council** - has no objections to these internal alterations to plans approved under 02/00741/FUL
- 2.7 **Essex County Council (Highways)** - no objections
- 2.8 **Southend Airport** - no safeguarding objections
- 2.9 **Housing Health & Community Care** - recommends conditions, and the imposition of SI16 Control of Nuisances

MATERIAL PLANNING CONSIDERATIONS

- 2.10 Planning permission has already been granted for the erection of a building containing 9no. flats on the site, ref. 02/00741/FUL.
- 2.11 The building now proposed would also contain 9no.flats. It would be of the same height, visual bulk and general design as the approved building. It would also be sited in the same position and be served by the same vehicular access and car parking arrangements as the approved scheme.
- 2.12 Three trees on the site are protected. The impact of the building upon these trees was also considered in respect of the previous application, and found acceptable. Given that the scale and siting of the building remain unchanged, the impact of the building upon the trees would also be the same.
- 2.13 It is clear then that many issues relating to this development have already be considered, and found acceptable in respect of the previous application. It is not considered necessary to revisit these issues in respect of the current application.
- 2.14 It is considered that the sole matter to be considered in respect of the current application is whether the provision of the windows to serve the flats in the roof space materially changes the appearance of the building, rendering it out of character with the surrounding area.
- 2.15 Prior to the grant of planning permission for the two storey scheme tabled last year, Members will recall a number of planning applications for flatted development on this site involving buildings that were either full three storey (i.e. three storeys, plus a roof) or part three storey/ part two storey. All of these were refused planning permission. Two of these decisions were appealed, and the appeals were subsequently dismissed. The last of these applications, ref. 01/00269/FUL, proposed a building that including a full three storey element of substantial visual bulk fronting onto Ashingdon Road. In dismissing the application, the Inspector concluded that the building was wholly inappropriate by reason of its bulk, height and general design.

- 2.16 The current application can clearly be distinguished from that appeal decision. The scale of the building is not full three storey. Indeed, it is a scale and general design of building that has already been considered and found acceptable by the local planning authority.
- 2.17 Throughout the length of Ashingdon Road, dwellings have benefited from loft conversions. Some of these include rear or front dormer windows, others merely involve rooflights. All of these have effectively resulted in two storey dwellinghouses with a third floor in the roofspace. In the cases that have merely involved rooflights, it would be difficult to conclude that the works have materially altered the appearance of the dwellings or have caused any specific harm.
- 2.18 The current application proposes much the same development; the provision of roof lights in a building which, whilst not built, has already been permitted.
- 2.19 It is not considered that the provision of the rooflights to serve the second floor accommodation will significantly change the character of the building or be said to cause harm to the building's appearance, or the contribution it will make to the street scene. Moreover, as noted above, it is concluded that this proposal for 'rooms in the roof' can be distinguished from the proposals previously dismissed on appeal, which were for schemes involving full bulky three storey development.
- 2.20 As noted above, some amendments are also proposed to the window pattern at first and ground floor. These are modest and, subject to the provision of obscure glazing to certain windows (as was the case with the approved scheme) the window pattern is considered acceptable.
- 2.21 Overall, it is concluded that the building as proposed will be in-keeping with other development along Ashingdon Road, and the side roads of it, and will make a positive contribution to the street scene.

CONCLUSION

- 2.22 The building is essentially similar to the building granted permission last year, ref. 02/00741/FUL. The building now proposed involves the same number of flats but, in order to provide larger flats, proposes to utilise the roof void for accommodation.
- 2.23 It is not considered that the use of the roof void would materially harm the character of the building, or adversely affect the street scene. Indeed, many other dwellinghouses in and around Ashingdon Road benefit from loft conversions, which effectively result in the same sort of accommodation tabled here.
- 2.24 The package of conditions recommended below is the same as those included on the recent permission.

RECOMMENDATION

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

- 1 SC4 Time Limits
- 2 SC14 Materials to be Used
SC23 Obscure Glazing
- 3 SC50 Means of Enclosure
- 4 SC60 Tree Protection
- 5 Prior to the commencement of the development hereby approved, full written
- 6 details of the works required to be carried out to the preserved trees on the site in order to construct and accommodate the development shall be submitted to and be approved in writing by the local planning authority. The works to the trees shall thereafter be carried in strict accordance with the agreed details.
SC59 Landscaping
- 7 SC90 Surface Water Drainage
- 8 SC91 Foul Water Drainage
- 9 The residential units hereby permitted or any part thereof shall not be occupied,
- 10 under-let, shared by or with any person under the age of 55 at the date of occupation.
- 11 Prior to the occupation or completion of the development hereby approved, whichever is the sooner:-
 - A) The new vehicle access illustrated on the submitted plans hereby approved shall be constructed to a width of 4.1m with a suitable splay from the highway boundary to the dropped kerb crossing;
 - B) The existing vehicle accesses onto Ashingdon Road shall be permanently closed. The existing dropped kerbs shall be removed and the areas of the existing accesses constructed/surfaced or landscaped such that in terms of their appearance they marry with the pavements or grass verges either side;
 - C) A pedestrian visibility splay of 1.5m x 1.5m, as measured from the back of the footway shall be provided either side of the new access onto Roche Avenue with no obstruction above 600mm within the area of the splay; and,
 - D) The parking/turning area illustrated on the submitted plan hereby approved shall be constructed and surfaced with a bound material, details which shall have been previously submitted and agreed in writing by the local planning authority, and shall thereafter be permanently retained and maintained free of any such impediment to its designated use.
- 12 SC85 Method Statement
- 13 Prior to the commencement of the development, details of any external equipment or openings in the external walls or roofs of the building shall be submitted to and be approved in writing by the local planning authority before the machinery is installed or the opening formed. The equipment shall be installed or the opening formed as approved and shall thereafter be maintained in the approved form throughout the lifetime of the development. No other external equipment or openings in the external walls or roofs of the building shall be provided without the local planning authority's prior approval in writing through the lifetime of the development.

- 14 Prior to the occupation of any unit hereby permitted, an enclosure shall be erected in accordance with details previously submitted to and approved in writing by the Local Planning Authority between parking spaces 3, 4 and the bin store and the landscape frontage onto Roach Avenue.

Relevant Development plan policies and proposals:

H11, H16 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

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



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NTS



TITLE : **03/00076/OUT**
ERECTION OF 2 'SINGLE SPAN' STORAGE BUILDINGS
LAND NORTH OF BSG LTD., PURDEYS WAY PURDEYS
INDUSTRIAL ESTATE ROCHFORD

APPLICANT : **MR. C. NOAD**

ZONING : **INDUSTRIAL**

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHFORD**

SITE AREA: 0.33HA

PLANNING APPLICATION DETAILS

- 3.1 The proposal is to erect 2 buildings each with a floor area of 527 sq. m. for the storage of hauliers goods in transit. The buildings are to be constructed using semicircular frames covered with ribbed steel cladding. To the front are sliding doors supported on a framework whilst the rear wall is rendered blockwork. The remaining open areas of the site, which are surfaced with road planings, are to be used for unloading and the parking and turning of vehicles.

RELEVANT PLANNING HISTORY

CM/366/97/ROC (County Matter Application) – Use as Waste Transfer and Recycling Station Including Erection of Ancillary Building – Approved

CONSULTATIONS AND REPRESENTATIONS

- 3.2 **Rochford Parish Council** – No objections
- 3.3 **County Highways** – 1. The developer to make a contribution of £1,500 towards improvements to the junction of Purdeys Way and Sutton Road. 2. A size 3 turning head to be provided within the site and kept free for its designated purpose at all times. 3. Space shall be provided within the site to accommodate the parking and turning of all vehicles regularly visiting the site, clear of the highway and properly laid out and paved as may be agreed with the local planning authority and such space shall be maintained thereafter free of any impediment to its designated use.
- 3.4 **County Planner (Archaeology)** – area has been previously quarried so no archaeological recommendations made.
- 3.5 **Civil Aviation Authority** - No safeguarding objection.

- 3.6 **Environment Agency** – the applicants should be made aware that this was a former landfill site so that they can decide whether to undertake surveys for the presence of landfill gas.
- 3.7 **Head of Housing Health and Community Care** – details of any plant and equipment to be submitted; methane mitigation measures to be incorporated.

MATERIAL PLANNING CONSIDERATIONS

- 3.8 The site is zoned for industrial purposes on the local plan and the use of the site for warehousing is not inappropriate and will result in a more attractive use than the previous waste transfer station. The use of the site has already commenced utilising a large temporary structure made of scaffolding, corrugated iron and containers which has been erected at the west end of the site. It is intended to remove this structure when one of the buildings subject of this application has been erected. The structure is unauthorised and is conditioned for removal within the recommendation.
- 3.9 There is adequate space within the site to provide the turning area required by County Highways together with the necessary parking requirement, which in this case is seven spaces, although it is not intended that there will be any personnel permanently based on the site. The applicant is happy to contribute to the improvement of the Sutton Road/Purdeys Way junction and this needs to be made the subject of a Section 106 agreement.

CONCLUSION

- 3.10 The proposed buildings are of a somewhat unusual American design and could be more attractive in appearance. They are not however considered to be out of place on this site which is screened by other surrounding developments. No objection is therefore seen to the proposal.
- 3.11 Whilst the authority does not wish to curtail business and enterprise, it is not considered that the unauthorised structure on the site should be allowed to remain indefinitely and therefore the suggested condition requires its removal within 6 months.

RECOMMENDATION

- 3.12 It is recommended that this Committee **RESOLVES:**
- (i) That authority be delegated to the Head of Planning Services to approve the application subject to the satisfactory completion of a Section 106 Agreement relating to highway improvements and subject to the following heads of conditions:
 - 1 SC4 – Time Limits Full – Std.
 - 2 SC28 – Use Class Restriction (B8)
 - 3 SC76 – Parking and Turning Space

- 4 SC92 – Extract Ventilation etc.
- 5 Removal of the unauthorised structure within 6 months of the grant of planning permission.
- 6 The development of the shall incorporate methane mitigation measures in accordance with a scheme previously agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.

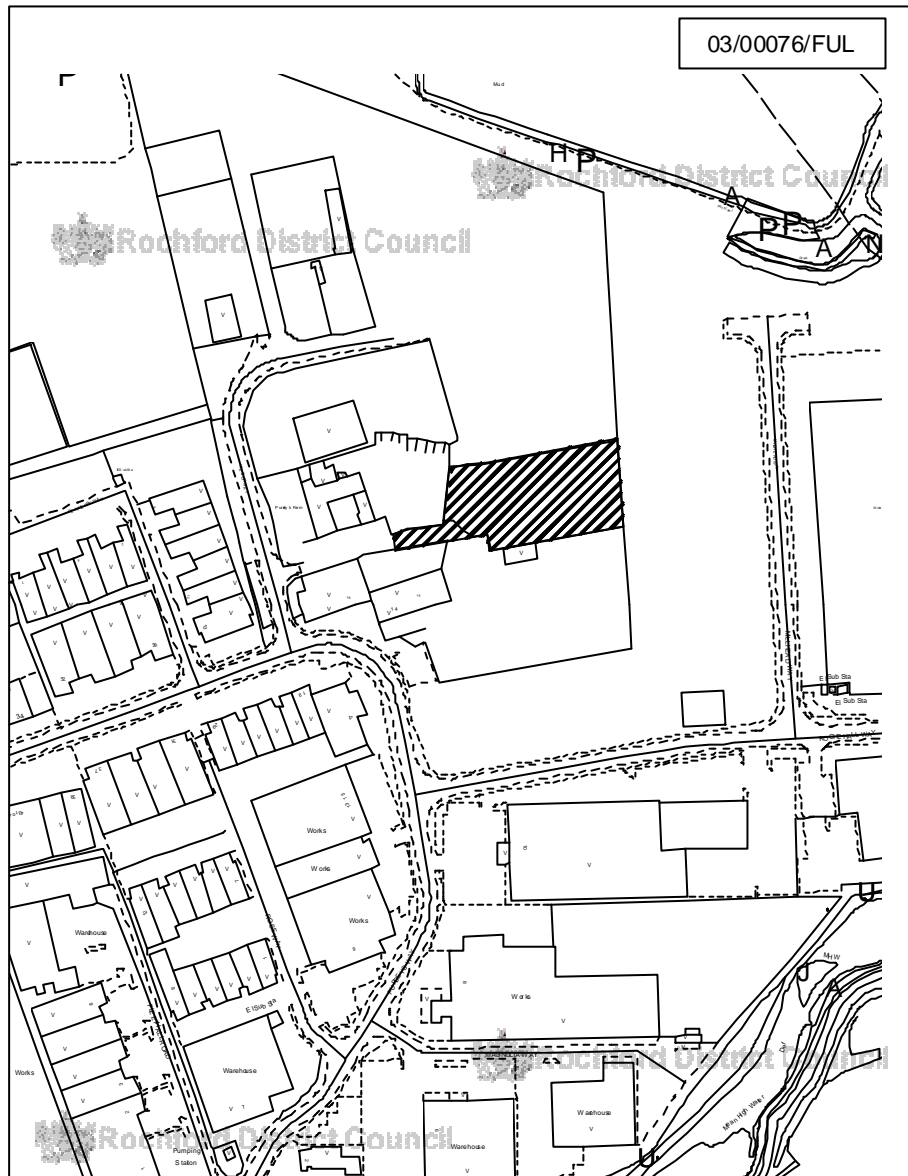
Relevant development plan policies and proposals:

EB2 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

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



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NTS



TITLE : **03/00302/FUL
ERECTION OF TWO STOREY BUILDING CONTAINING
16NO. FLATS (3 WITH BALCONIES), TOGETHER WITH
23NO. PARKING SPACES, DEMOLISH EXISTING PETROL
FILLING STATION
Q8 SERVICE STATION 543 ASHINGDON ROAD ROCHFORD**

APPLICANT : **MESSRS ROBBINS AND BEASLEY**

ZONING : **RESIDENTIAL**

PARISH: **HAWKWELL PARISH COUNCIL**

WARD: **HAWKWELL NORTH**

PLANNING APPLICATION DETAILS

- 4.1 The application proposes the erection of an L-shaped two storey building containing 16no. flats. Six of the flats would be 1-bed, ten would be 2-bed. 23 car parking spaces are proposed to the front. A substantial area of private amenity space is proposed to the rear.
- 4.2 The application involves the demolition of the existing petrol filling station, together with the cessation of the use of the remainder of the site (sides and rear) for car sales.

RELEVANT PLANNING HISTORY

- 4.3 Permission was REFUSED for the erection of a three storey block of 18no. flats on the site last year, ref. 02/00969/OUT. The grounds for refusal related to the scale of building being out of keeping with the existing development in this part of Ashingdon Road, and the oppressive relationship the building would likely have upon the adjoining two storey and single storey properties. The application was also refused on the basis of insufficient car parking, the 18 spaces then proposed being considered insufficient to serve 18no. flats.

CONSULTATIONS AND REPRESENTATIONS

- 4.4 **Hawkwell Parish Council** - is concerned that the 3 balconies appear to overlook the rear gardens of properties in the adjacent street. Members also expressed their concern over potential parking problems with 23 spaces provided for 16 flats.

- 4.5 **Ashingdon Parish Council** - make objections that vehicular access at this point on Ashingdon Hill would be a traffic hazard, the parking facilities are not adequate and there would be a loss of amenities such as a garage and shop which is open seven days a week, and a loss of employment.
- 4.6 **Essex County Council (Highways)** - recommends conditions to be imposed on any permission granted.
- 4.7 **Essex County Council (Learning Services)** - has considered the educational needs arising from the development and will not require an educational contribution
- 4.8 **Essex County Council (Planning)** - No Strategic Comments
- 4.9 **Housing Health and Community Care** - advises that there is potential for the site to be contaminated, and recommends conditions to be imposed on any permission. One of these requires a detailed contaminated land assessment, and the decontamination of the site as necessary
- 4.10 **Environment Agency** - also draw attentions to the potential contamination of the site, and requires a study and investigation be carried out, together with remediation as necessary
- 4.11 A total of five letters have been received in response to the neighbour notification.
- 4.12 Four of these letters (one of which is signed by two households) object to the proposals. The broad grounds for objection cited are as follows:
- The proposed balconies will give rise to an invasion of privacy
 - The number of flats is too great
 - The mass of the building is too great
 - Flats are out of keeping with the area, more appropriate properties should be built
 - There is no demand for flats
 - The number of parking spaces is inadequate
 - The proposal will result in devaluation
 - The flats will be an eyesore
- 4.13 One of these letters raises no objection to the proposals subject to the boundary fence with their property and the garage being replaced and that any shrubs/plants damaged during the building works are replaced.

MATERIAL PLANNING CONSIDERATIONS

- 4.14 The application site, whilst currently in use as a petrol filling station and for car sales, falls within an area allocated for residential purposes in the Rochford District Local Plan First Review.

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- 4.15 In terms of the proposed use of the site for flats, Policies H11 and Policies H16 of the Local Plan are particularly relevant.
- 4.16 In terms of key material considerations, the following are considered pertinent:
- The compatibility of the building in the street scene
 - Impact upon Neighbours
 - Car Parking and traffic issues
 - The loss of the petrol filling station/shop
- 4.17 **Compatibility**
The site is situated on Ashingdon Road which, at this point, is characterised by dwellings, together with occasional churches, shops, pubs and other uses. Semi-detached dwellings lie immediately to the south of the site, bungalows with roof conversions lie immediately to the north.
- 4.18 Nos. 539 and 541, the semi-detached two storey houses to the south are approximately 8.5m in height. Nos. 553 and 555, the bungalows to the north are approximately 6.3m in height.
- 4.19 The site backs onto the rear gardens of properties in Clifton Road and Stanley Road which, again, are characterised by dwellings of different types.
- 4.20 The submitted plans show a two storey building, having an overall height of 7.6m. This is quite modest compared to the average height of dwellings erected today, which often achieve heights of 8.5m-9.0m.
- 4.21 Certainly, the building now proposed can be distinguished from the three storey building previously proposed under ref. 02/00969/OUT, which had an overall height of some 11.2m (max), and was refused permission, inter alia, because it was concluded that a building of this height would be incompatible with the more modest development around it.
- 4.22 In conclusion, then, the building now proposed is within the range of heights of existing buildings in the area, and is not considered unduly high.
- 4.23 In terms of its appearance, flatted accommodation clearly differs from semi-detached and detached dwellings, typically having a solid appearance more akin to terraced dwellings. Flatted accommodation is not a feature of the immediate vicinity of the site. However, there are at least two existing blocks of two storey purpose-built flats along Ashingdon Road; Suffolk Court (on the corner of Roche Ave) and Norfolk Court (on the corner of Princess Gardens). In terms of their scale, mass and height these buildings are similar to the current proposal. It is not considered that these blocks are out of keeping with the development around them; indeed they blend in well with the development around them.

- 4.24 The existence of other purpose-built flats in Ashingdon Road, and the view that these flats appear appropriate to their settings, lends weight to the view that the flats now proposed would also be compatible.
- 4.25 In street scene terms, it is also pertinent to the note that the front elevation of the proposed flats is broken up by projecting gables and changes of materials, designed to provide interest and contrast. The frontage would not appear mundane and uniform.

Impact Upon Neighbours

- 4.26 Nos. 539 and 541, to the south, are situated relatively forward in the street scene, whereas, Nos. 553 and 555, to the north, are set back somewhat further from the road.
- 4.27 The proposed block has been L-shaped to take account of the change in the 'building line'; neither end of the block projecting further forward than the existing dwelling adjacent to it.
- 4.28 In terms of impact to the rear, it is noted that the block has been sited to accord with the '45 degree rule' applied to two storey extensions and would not, therefore, cause demonstrable light loss to the rear windows of the adjoining properties.
- 4.29 There is, however, one issue of concern. This relates to the provision of balcony enclosures to serve two flats to the rear. The flank elevations of these balconies could be screened, or constructed of brick to prevent a loss of privacy to adjoining properties. Even so, it is considered that the balconies could still lead to overlooking or at least the perception of overlooking of properties in the adjoining roads. This is a concern that has been raised in several of the letters of objection received from neighbours. Following discussions with the agent it is understood that the two balconies to the rear will be deleted. Revised plans to this end should be available in time for the meeting.
- 4.30 Having regard to the impact of the actual use, clearly the proposal is for a residential use in a residential area. The parking area to the front of the site will likely generate some noise, however this must be compared to the noise generated by the current use of the site as a petrol filling station. Moreover, the rear of the site is to be landscaped and used as the flats' amenity area whereas, at present, it is used for open air car sales. The existing use has potential to cause noise nuisance in terms of the arrival/departure of vehicles, doors slamming, cars being started up, etc. Again, the current proposal would remove this potential cause of nuisance.

Car Parking and Traffic Issues

- 4.31 In the previous proposal for flats, ref. 02/00969/OUT, the vehicular access to the site was to be gained to the north end of the site - effectively re-using one of the vehicular accesses currently serving the petrol filling station. The highway authority considered this access poor, being at the brow of Ashingdon Hill where visibility is limited, but did not consider it reasonable to object, given the petrol station's use of an access in the same place.

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- 4.32 In the current proposal, vehicular access to the site will be gained via a new vehicular crossover situated towards the centre of the site's frontage. This is an improvement over the previous proposal and, indeed, the existing access used by the petrol station.
- 4.33 The highway authority raises no objection to the current proposal.
- 4.34 In terms of car parking, a total of 23 spaces are proposed to serve the 16 flats. The flats include 6 x 1-bed flats and 10 x 2-bed units.
- 4.35 The parking standards set out in the Council's current Local Plan recommend the provision of 1.5 spaces per unit, giving rise to a need for 24 spaces. However, a degree of flexibility has been used in applying these standards, in line with the government's objective to reduce car parking spaces in order to reduce car use. Mindful of government guidance, a number of flatted schemes for smaller units (1-bed) have been approved on the basis of one space per unit. Moreover, the Council has recently adopted revised standards for car parking, which effectively supersede those set out in the current Local Plan. These recommend for houses and/or flats the following provision:
- 4.36 "For main urban areas and locations where access to public transport is good, a maximum of 1 space per dwelling is appropriate. Where an urban location has poor off-peak public transport services, a maximum of 2 spaces per dwelling is appropriate."
"In rural or suburban locations where services are poor, a minimum of two spaces for three bedroom properties and a minimum of three spaces for four bedroom properties is appropriate. For the sub-division of single dwellings into smaller units of accommodation, in these locations, a maximum of two spaces per unit is appropriate unless circumstances dictate otherwise, the spaces to be provided within the curtilage of the original dwelling or conveniently adjoining it and located clear of the carriageway, footway and site splays."
- 4.37 The site is located towards the northern edge of Rochford/Ashingdon, and it is considered reasonable to consider the area 'suburban.' Ashingdon Road is served by a reasonable bus service, but is not within a short walking distance of Rochford or Hockley railway stations. It is, however, within walking distance of basic facilities: a convenience store, post office and hair dressers.
- 4.38 The guidance for suburban areas recommends a minimum of two spaces for three bedroom dwellings. However, in this case, smaller units are proposed, specifically 6 x 1-bed flats and 10 x 2-bed flats.
- 4.39 As noted above, applying the current Local Plan standard would give rise to a need for
- 4.40 24 spaces, against the 23 spaces proposed. However, having regard to the revised standards and associated government guidance, the availability of buses and basic local facilities, together with the inclusion of 6no. 1-bed flats (against which it would be difficult to apply a standard of more than one space), it is considered that the 23 spaces proposed is sufficient.

Loss of Petrol Station/Shop

- 4.41 In recent years, applications for the redevelopment of a number of petrol stations have been made. Outline permission was granted for the redevelopment of the ESSO service station in Ashingdon Road for flats (ref. 01/00353/OUT) and the BP garage in Rochford Town Centre has recently closed, and also looks likely to be the subject of an application for an alternative form of development.
- 4.42 However, whilst the loss of the Q8 garage with its associated shop is clearly regrettable, it is not considered that the loss of this facility could constitute a reason for refusing the application. No Local Plan or Structure Plan specifically seeks to retain such facilities, and such a decision would be contrary to the decision taken in respect of the ESSO garage.

CONCLUSION

- 4.43 The application proposes a two storey form of development, which reflects the general height of dwellings in the surrounding area. There is flatted development along Ashingdon Road of not dissimilar scale. It is considered that the proposed flats would blend into the street scene. The building complies with the Council's normal spatial standards in terms of its siting and would not appear overbearing to neighbours, or result in light loss. As noted above, the plans as submitted illustrate 2 balconies, which have the potential to result in overlooking. It is anticipated that these balconies will be deleted and that revised plans showing this will be received in time for the meeting.
- 4.44 The issue of car parking is discussed in some detail above. It is considered that the 23 spaces proposed are sufficient to serve the 16no. flats.
- 4.45 It is concluded that the proposal complies with Policies H11 and H16 of the existing Local Plan, and approval is recommended.

RECOMMENDATION

- 4.46 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:
- 1 SC4 Time Limits - Std
 - 2 SC9A Removal of Buildings
 - 3 SC14 Materials to be Used
 - 4 SC23 Obscure Glazing
 - 5 SC50A Means of Enclosure
 - 6 SC59 Landscape Design
 - 7 SC66 Pedestrian Sight Splay
 - 8 Prior to the occupation of any of the flats to which this permission relates:
 - A) The new vehicle access hereby permitted shall be constructed to a width of 4.5m with a suitable splay from the highway boundary to the dropped kerb crossing; and,

- B) The driveway shall be laid out and constructed in a permanent, bound material for the first 6m (minimum) from the highway boundary, details of which shall have been formerly submitted to and approved in writing by the local planning authority; and,
- C) The existing vehicular accesses serving the site shall be permanently closed, with the kerbs returned to full height, and the areas of the accesses altered to that of the pavements to either side, and surfaced to match; and
- D) The parking area shall be completed in accordance with the details illustrated on the submitted plan, Drg. No. 1811/20, and surfaced in accordance with details that shall have formerly been submitted and approved by the local planning authority. Dependent upon the surfacing material chosen, the individual parking spaces shall be marked in paint or contrasting blocks/bricks. After provision of the car parking spaces, they shall be maintained in the approved form, free of any impediment to their designated use throughout the lifetime of the development

9 Before the development is commenced:

- A) The method and extent of a detailed contaminated land assessment (including historical investigation, sampling and analysis of current soils and site assessment) to be carried out on the site shall be submitted to and approved in writing by the local planning authority;
- B) The detailed contaminated land assessment shall be carried out in accordance with the agreed details, and a copy shall be submitted to the local planning authority, together with a scheme to remedy any contamination identified by the assessment.

Upon receipt of the local planning authority's approval in writing of a scheme to remedy any contamination identified on the site, the development may then commence, and be implemented in accordance with the approved scheme of remediation. On completion of remediation, a written report shall be submitted to the local planning authority detailing the works carried out and the results of any validation sampling.

- 10 Prior to the commencement of the development, details of any external equipment or openings in the external walls or roofs of the building shall be submitted to and be approved in writing by the local planning authority before the machinery is installed or the opening formed. The equipment shall be installed or the opening formed as approved and shall thereafter be maintained in the approved form throughout the lifetime of the development. No other external equipment or openings in the external walls or roofs of the building shall be provided without the local planning authority's prior approval in writing through the lifetime of the development.

11 SC90 Surface Water Drainage

12 SC91 Foul Water Drainage

PLANNING SERVICES COMMITTEE - 24th June 2003 Item 4

Relevant development plan policies and proposals:

H11, H16 of the Rochford District Local Plan First Review

A handwritten signature in black ink, reading 'Shaun Scrutton'.

Shaun Scrutton
Head of Planning Services

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

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**TITLE : 03/00108/FUL
ERECT 6-BED TWO STOREY DWELLING WITH ROOMS IN
ROOF (REVISED AND RETROSPECTIVE APPLICATION
FOLLOWING PERMISSION REF. 99/00638/FUL)
12 LESLIE ROAD RAYLEIGH**

APPLICANT : MR V GRIFFIN

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: RAYLEIGH CENTRAL

PLANNING APPLICATION DETAILS

- 5.1 Permission was granted under ref. 99/00638/FUL for the demolition of the existing bungalow and the erection of a replacement four bed detached house with integral garage.
- 5.2 When the new dwelling was under construction, it came to the Council's notice that the building was materially different to that approved under ref. 99/00638/FUL. The differences may be summarised as:
- Amendments to the approved roof design, and enlargement of the roof
 - The provision of windows in the flank walls, serving rooms in the roofspace
 - The provision of french doors and a balustrade detail to the first floor rear elevation
- 5.3 It was also queried whether the overall height of the roof had increased. However, measurements taken by Planning Enforcement Officers confirmed that this was not the case. Overall, however, the extent of changes to the building were considered significant; certainly not the sort of cosmetic changes that could be dealt with as minor amendments under the existing permission. These matters were pointed out to the applicant/developer, and he was advised that any further work undertaken to the property was at his own risk.
- 5.4 The current application proposes to regularise the situation, by seeking planning permission for the house as constructed.
- 5.5 NB: It has also be noted that there are a number of other minor differences between the house as approved, and built. These relate to changes to the window/door pattern at ground floor, and the use of brick to the flank wall of a conservatory in lieu of glass. These matters can be dealt with as minor amendments.

RELEVANT PLANNING HISTORY

99/00638/FUL - Demolish existing bungalow and erect replacement four bed detached house with integral garage

CONSULTATIONS AND REPRESENTATIONS

- 5.6 **Rayleigh Town Council** - no objection
- 5.7 **Essex County Council (Highways)** - *de minimis*
- 5.8 Rayleigh Civic Society - no comment
- 5.9 A total of 14 letters from seven addresses in Leslie Road have been received in response to the neighbour consultation. All the addressees object to the current proposal. The following are the broad grounds of objection:
- The property does not fit in
 - The property is too big and dwarfs the properties around it
 - Concern that the building could be converted into flats
 - Overlooking, from the 'patio doors' to the first floor rear elevation and from the additional windows in the flank elevation. Concern that a flat roof could be used as a balcony area, reach via these patio doors.
 - The property should have been restricted to 4-beds
 - Car parking
 - Drainage problems

MATERIAL PLANNING CONSIDERATIONS

- 5.10 Permission was granted in 1999 for the erection of a four bedroom house, ref. 99/00638/FUL. The local planning authority, therefore, approved a house of the scale, height and siting illustrated on the plans accompanying that application.
- 5.11 The current application relates to the house as built, which differs from the house granted permission under the above permission. The differences between the house as approved and as built are as follows:
1. The roof has been amended. The cropped hips have been reduced resulting in and the scale of the roof being enlarged
 2. 2no. windows have been provided in each flank elevation, providing light to rooms in the original roofspace.
 3. French doors and a balustrade feature has been provided to the master bedroom, at first floor to the rear

- 5.12 In assessing this application, due attention must be paid to the fact that permission has already been granted for a house under ref. 99/00638/FUL. The sole focus, therefore, is the acceptability, or otherwise, of the differences between the two schemes, as approved and as now built.

Amendments to Roof

- 5.13 Leslie Road is characterised by a mixture of bungalows, chalets and houses. A number of new houses have been erected in recent years.
- 5.14 It is fair to say, though, that the application property has the greater visual impact than any other single dwelling in the street scene. The reasons for this are twofold.
- 5.15 As noted earlier, the overall height of the property as built is the same as that previously permitted at 8.9m. Two storey dwellings are normally between about 8.5m-9.0m in height, so the dwelling itself is not unusually high. This said, the house as originally permitted and as now built is considered to be slightly higher than other properties in this part of Leslie Road.
- 5.16 The application site sits between two chalet type properties. No. 10, immediately to the West of the site, is situated on roughly the same 'building line' as the application property relative to the road. Whilst this is also true of No.14, and its neighbour No.14a, lying immediately to the East of the site, the front portion of both of these properties consists of a deep flat roofed double garage. The consequence of this is that, as viewed from the East, the bulk of the flank elevation of the application property is apparent in the street scene. (If the property is looked at from the West, on the other hand, much of the flank elevation is concealed by No.10.)
- 5.17 The change to the roof comprises an alteration to the hipped roof detail. This is best described pictorially, but the basic alteration is as follows: As approved, the eaves of the hips to the flank elevations commenced at 7.4m above ground. However, when the house was constructed a further 0.6m of brickwork was added to each flank wall, such that the eaves of the hips are set at 8.0m above ground.
- 5.18 The consequence of this amendment is that the hips are smaller than approved, and the roof is correspondingly larger as is the height of the side walls of the house by 0.6m.
- 5.19 In terms of compatibility, the question is whether the additional area of roof renders the property out of scale with those around it or not.
- 5.20 Although the property is already substantial, the change to the roof is considered modest in itself. As discussed above, the flank elevation of the dwelling is prominent from the East. However, it is not considered that the degree of alteration to the roof demonstrably adds to the dwellings overall visual impact or scale. Also the road is tree lined, and for the greater part when these street trees are in leaf there are not long views of the property in the streetscene.

Additional Windows

- 5.21 The house as built contains an additional two bedrooms in the roofspace, increasing it from a four bed to a six bed house. The house complies with the Council's parking standards, having a single garage plus space for 3 cars on a hardstanding to the front irrespective of the number of bedrooms.
- 5.22 However, the ramification of providing rooms in the roofspace has been the enlargement of the roof, as discussed above, plus the provision of 3 no. velux rooflights in the rear roofslope.
- 5.23 The velux rooflights, facing rearwards, do not give rise to an overlooking problem, and are considered acceptable.
- 5.24 The windows in the flank elevations, however, could result in overlooking of the adjoining properties. As installed, the windows are obscure glazed but are not, it is understood, fixed shut. Subject to the imposition of a planning condition requiring their alteration to this end, the provision of the windows is considered acceptable.
- 5.25 It is true that the presence of the windows does draw attention to the fact that the property is three storey. No other houses with loft conversions are apparent in this part of Leslie Road, so No.12 may be unique in being three storey. The question, though, is whether the presence of the windows causes any actual harm. There is an argument that the presence of the windows actually adds interest to what would otherwise be a pretty featureless flank elevation. Whether this argument is persuasive or not, it is not considered that the presence of the windows causes demonstrable harm.

French Doors and Balustrade Feature

- 5.26 A pair of French doors have been provided to the first floor rear elevation. When these were originally provided, a balcony feature was also fitted to the rear wall. The projection of this was modest, but still such that occupiers could have stood on it. It is considered that this balcony feature had the potential to allow the overlooking of neighbouring properties.
- 5.27 This balcony feature has been removed and replaced by a balustrade that projects very little beyond the rear wall of the dwelling. It is not considered that this balustrade, together with the French doors, reasonably permits any more overlooking than a conventional window.

CONCLUSION

- 5.28 The application has resulted in a large number of objections from residents in Leslie Road, and those representations have been given careful consideration. Many of those objecting take the view that the dwelling as built is out of scale with other properties in Leslie Road.

- 5.29 The dwelling as built is clearly substantial in relation to other properties in the road. However, the property as approved was also substantial.
- 5.30 Determination of this application must focus upon the differences between what was originally approved and what has been built:
- 5.31 Do the amendments to the roof tip the balance from a dwelling previously considered acceptable to one that is now out of scale with those around it? Do the windows to the flank elevation materially add to the building's impact, or otherwise cause harm? Does the balustrade feature to the rear cause overlooking?
- 5.32 These questions have all been considered in some detail.
- 5.33 The conclusion is that the changes to the roof and the insertion of the additional windows to the flank elevations are not themselves such to render the dwelling out of scale with other dwellings in the road, or otherwise cause harm. Moreover, it is concluded that the balustrade feature now fitted does not demonstrably give rise to overlooking.
- 5.34 Given these conclusions, a recommendation of approval is made.

RECOMMENDATION

- 5.35 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:
- 1 Within a month of the date of the permission hereby granted, details of a method to permanently fix shut all windows to the flank elevations of the dwellinghouse hereby approved below a height of 1.7m above the floor level of the floor to which they relate shall be submitted and approved in writing by the local planning authority. These windows shall then be fixed shut in accordance with the approved details within two months of the date of this permission. The windows shall thereafter remain fixed shut as approved, and remain glazed with obscured glass, throughout the lifetime of the development.
 - 2 SC22 A PD Restricted - Windows
 - 3 SC81 Garage & Hardstanding
 - 4 The permission hereby granted relates to the plans drawing no DMG/01/263C which includes a balustrade arrangement to the rear of the first floor bedroom. This balustrade shall be fixed tight to the rear plane of the building such that no entry or exit is possible through the "French Doors". Thereafter, it shall be retained in this form.

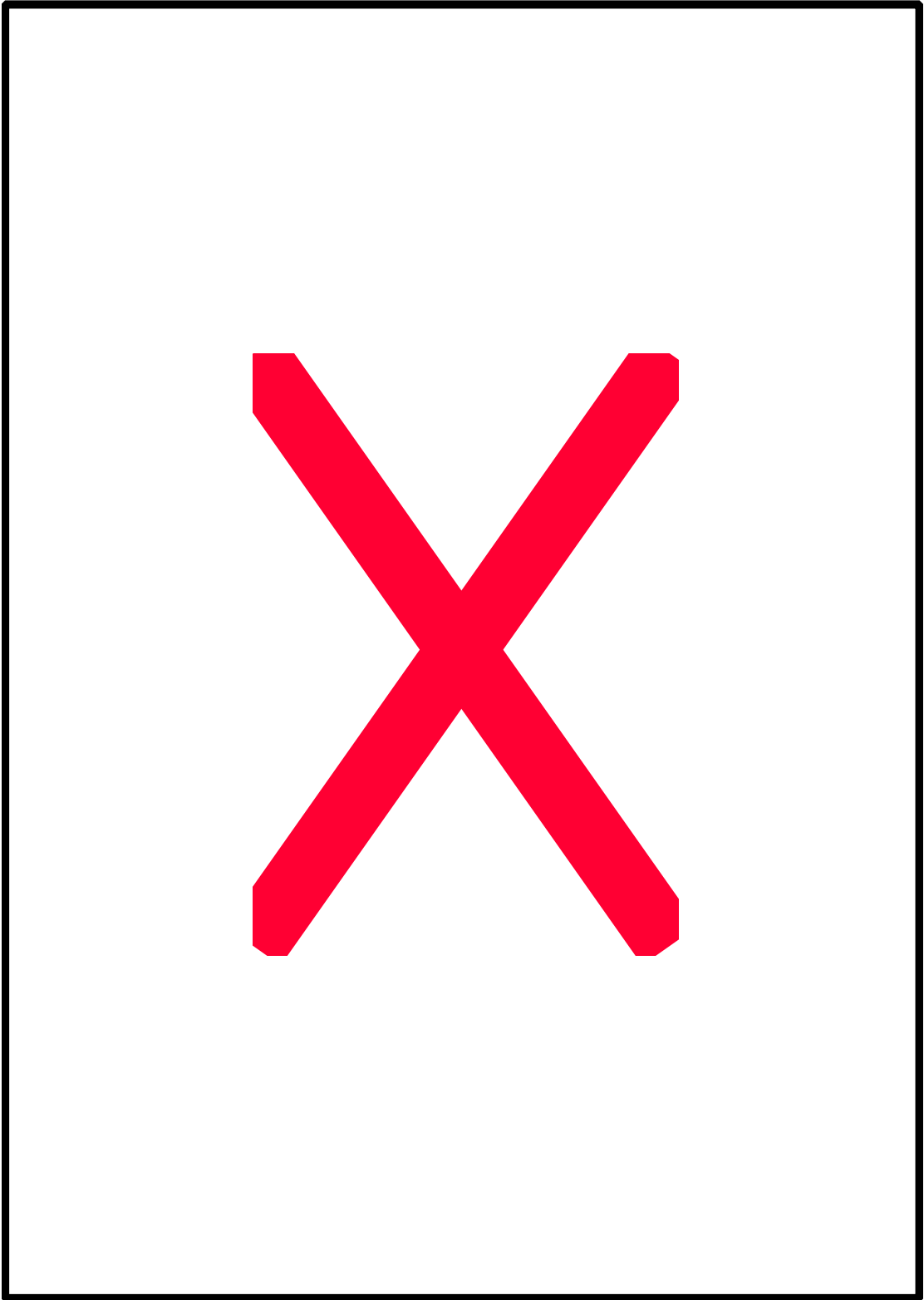
Relevant Development plan policies and proposals:

H11 of the Rochford District Local Plan First Review

A handwritten signature in black ink, reading 'Shaun Scrutton'.

Shaun Scrutton
Head of Planning Services

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



CODE OF CONDUCT FOR PLANNING MATTERS

GENERAL PRINCIPLES

Members and Officers must:-

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

In Committee, Members must:-

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

Members must:-

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

Officers must:-

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