



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
PLANNING SERVICES COMMITTEE 30th August 2001**

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.

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PLANNING SERVICES COMMITTEE 30th August 2001

REFERRED ITEM

|    |                                |            |        |
|----|--------------------------------|------------|--------|
| R1 | 01/00383/LBC                   | Lee Walton | PAGE 4 |
|    | Install Projecting Global Sign |            |        |
|    | 15 West Street Rochford Essex  |            |        |

SCHEDULE ITEMS

|   |   |               |         |
|---|---|---------------|---------|
| 2 | 01/00269/FUL  | Mark Mann     | PAGE 7  |
|   | Erection Of A Part Three Storey, Part Two Storey      |               |         |
|   | Block Of 10(no.) Elderly Persons, Flats With          |               |         |
|   | Communal Facilities                                   |               |         |
|   | 79 Ashingdon Road Rochford Essex                      |               |         |
| 3 | 01/00240/FUL  | Kevin Steptoe | PAGE 14 |
|   | Erect Two Storey Office Building. Layout Area for     |               |         |
|   | Deliveries and Taxi Storage                           |               |         |
|   | Land Rear Of 4-8 Eastwood Road Rayleigh               |               |         |
| 4 | 01/00639/PD   | Kevin Steptoe | PAGE 21 |
|   | 'Nosebay' Roof Extension to Existing Building         |               |         |
|   | Heavylift Aircraft Engineering Ltd Southend Airport   |               |         |
|   | Southend-On-Sea                                       |               |         |
| 5 | 01/00256/OUT  | Mark Mann     | PAGE 24 |
|   | Outline Application for the Erection of a Block Of 10 |               |         |
|   | (no.) Flats   |               |         |
|   | 72 The Approach Rayleigh Essex                        |               |         |
| 6 | 01/00480/COU  | Lee Walton    | PAGE 30 |
|   | Change Of Use Of Land To Form Addition To             |               |         |
|   | Existing Golf Course                                  |               |         |
|   | Hanover Golf Club Hullbridge Road Rayleigh            |               |         |
| 7 | 01/00621/COU  | Kevin Steptoe | PAGE 35 |
|   | Change of Use of Building from Office Use Ancillary   |               |         |
|   | to Former On Site Manufacturing Use to Separate       |               |         |
|   | Freestanding Office Use                               |               |         |
|   | 26 Brook Road Rayleigh Essex                          |               |         |

REV

- 8      01/00529/GD      Christopher Board      PAGE 40  
 Convert Former School to Conservation Centre  
 Foulness Voluntary Primary School Church End  
 Foulness Island
- 9      01/00562/CM      Christopher Board      PAGE 44  
 Erection of School Hall and Conversion of Existing  
 Hall into 2 (No.) Classrooms  
 Rayleigh County Junior & Infant School Love Lane  
 Rayleigh
- 10     01/00514/FUL      Kevin Stepto      PAGE 47  
 Erect 2-Bed Detached Bungalow with Basement as  
 Agricultural Managers Dwelling  
 Land At Cherry Orchard Nursery Cherry Orchard  
 Lane Rochford
- 11     01/00588/COU      Christopher Board      PAGE 60  
 Change of Use from General Industrial Use (Class  
 B2) to Warehouse and Distribution (Class B8)  
 1 Fleet Hall Road Rochford Essex
- 12     01/00128/FUL      Mark Mann      PAGE 64  
 Formation and Layout of a Novice 4 x 4 Track (To Be  
 Used On No More Than 14 Days Per Annum)  
 Land Adj. Anglian Water Depot Creek Sea Ferry  
 Road Creeksea Ferry Road Canewdon
- 13     01/00540/FUL      Lee Walton      PAGE 69  
 Variation Of Condition 4 Attached To Permission  
 CU/0040/94 To Allow Operation Of A Home Delivery  
 Service (Renewal Of 00/00385/FUL  
 8 East Street Rochford Essex

**PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001    Item R1**  
**Referred Item**

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**TITLE :**                    01/00383/LBC  
                                INSTALL PROJECTING GLOBE SIGN  
                                16 WEST STREET ROCHFORD

**APPLICANT :**            BARCLAYS BANK PLC

**ZONING :**                PRIMARY SHOPPING, CONSERVATION AREA

**PARISH:**                ROCHFORD PARISH COUNCIL

**WARD:**                  ROCHFORD ROCHE

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**NOTES**

- 1.1 This application seeks Listed Building Consent to site a hanging sign on this Listed Building located within the Rochford Conservation Area.
- 1.2 The sign will not be illuminated and will complement the Advertisement and Listed Building Consents recently granted.
- 1.3 The conservation adviser has referred to the 'finish' of the design and that this was not appropriate for such a location. However, it is considered that the store enamelled sign and steel mounting bracket are acceptable. This overcomes objections previously raised in refusing an earlier application for a projecting globe sign.
- 1.4 Rochford Hundred Amenity Society - this is within the town conservation area and the conservation rules must apply. We believe that similar applications from other businesses have previously been refused.
- 1.5 **County Planner (Conservation)** - The overall design is acceptable, but is let down by the proposed finish. I do not consider polyester powder coating to be appropriate for use on a listed building. The smooth, factory-made surface finish would be at odds with the textures of the traditional brick wall.

**APPROVE**


- 1 SC4A Time Limits - Listed Buildings

**Relevant Development Plan Policies and Proposals:**

UC7, of the Rochford District Council Local Plan First Review

PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001    Item R1  
Referred Item

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Shaun Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application is/are Ward vacancy.

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



01/00383/LBC

ROCHFORD

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*RCM*

TITLE : 01/00269/FUL  
ERECTION OF A PART THREE STOREY, PART TWO  
STOREY BLOCK OF 10(NO.) ELDERLY PERSONS, FLATS  
WITH COMMUNAL FACILITIES  
79 ASHINGDON ROAD ROCHFORD

APPLICANT : C SANDERSON

ZONING : RESIDENTIAL

PARISH: HAWKWELL PARISH COUNCIL

WARD: HAWKWELL EAST

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#### PLANNING APPLICATION DETAILS

- 2.1 The application site is on the north side of Roche Avenue on the corner with Ashingdon Road approximately 0.5 km north of town centre and railway station.
- 2.2 The proposal is to demolish the existing dwelling and erect a substantial, brick with pitched, artificial slate roof building to provide 10 elderly person flats, communal lounge and visitors suite. The building is of a neo-georgian style and has an 'H' shaped floor plan and will be part two storey and part three storey, with the three storey element located to the front of the site, fronting onto Ashingdon Road.
- 2.3 Parking is provided to the front and east side of the building and also within a car port on the ground floor of the building. To the west of the building is an amenity area, conveniently located by the side of the lounge area.

#### RELEVANT PLANNING HISTORY

- 2.4 99/00199/OUT. Outline application for the erection of a three storey block of 17 flats. Refused on the grounds that the development was out of character and over-dominant. It would effect preserved trees and would be detrimental to the amenities of nearby properties.
- 2.5 99/00726/OUT. Again an outline application for the erection of a part two storey and part three storey block containing 14 elderly persons flats. This was again refused on the grounds that the development would appear out of scale and character with the surrounding development; the amenity space for the development was considered inappropriate as it abutted Ashingdon Road; it would have an adverse impact on the amenities of the adjoining property, particularly having the car park along the western boundary; and the impact on the preserved trees. This view was upheld at appeal.

CONSULTATIONS AND REPRESENTATIONS

- 2.6 **Hawkwell Parish Council.** Objects to the development on the grounds of overdevelopment and the proposed building incongruous to the street scene.
- 2.7 **Rochford Hundred Amenities Society.** Consider the proposal a serious overdevelopment of the site and consider that more than three parking spaces would be required.
- 2.8 **County Highways.** Initially objected to the proposal but has now withdrawn those objections in the light of alterations to the proposed plans and suggests the following conditions: that all vehicle accesses onto Ashingdon Road are closed off, that a new access is provided and splayed with a minimum width of 4.1m; pedestrian inter-visibility splays are provided at the access, that adequate parking is provided; and that the parking area is paved in permanent material.
- 2.9 **Head of Housing Health & Community Care.** No objections to the proposal but suggests a number of standard conditions/informatives be attached to any permission.
- 2.10 **Anglian Water.** No objections in principle, but suggests a standard condition relating to drainage.
- 2.11 **Woodlands Officer.** Concerned that the application has not considered the protected trees despite the previous refusal. Is concerned that the whole area beneath the canopy would be paved, that a new access is to be built close to the silver birch tree and recommends refusal on the grounds that the proposal will have a serious effect on the protected trees amenity, future health and viability.
- 2.12 **Police.** Retirement homes are often visited by opportunist thieves and bogus callers and makes a number of recommendations to reduce the risk of crime and disorder. For example multipoint locking windows on the ground floor, door entry systems, etc.
- 2.13 **Adjacent Residents.** Four letters of objection have been received from local residents. Their main concerns are; *parking*, the proposal will exacerbate the existing problems along Roche Avenue by the creation of a new access where people currently park, also only 8 parking spaces would be provided for 10 flats; *character*, a three-storey development is out of character with the single storey development that predominates the area; *property value*, the development will reduce the value of homes in the area; and *amenity*, the proposal will block the light/view from adjacent properties. One letter welcomes the improvements over the previous applications but is still concerned about the problem of rail commuters using the area to park their cars all day. If this problem could be solved, they would have no objections to the proposal.



**MATERIAL PLANNING CONSIDERATIONS**

- 2.14 The material considerations in respect of this application are primarily the Policies in the Local Plan, namely: Policy H2 (Density should reflect character of the area and make the most efficient use of land); H11 (Design and Layout); H17 (Private Sheltered Housing Schemes); H19 (small sites) and H24 (Safeguarding amenity of area). In addition, the revised PPG3 on Housing is also relevant to the consideration of this application.
- 2.15 PPG3 *Housing*, considers that it is important for authorities to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours. It also advises that Authorities should ensure that new housing development helps to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics. Bearing in mind that the majority of projected growth will be in one person households and that there is an increase in the proportion of elderly people, authorities are advised to adopt policies which take full account of these changes and which will widen the range of housing opportunities to allow those changes to be met. PPG3 also promotes more sustainable residential environments and suggests, amongst other things, that new housing developments are located close to transport routes and that they are accessible by a range of non car modes and that Authorities should encourage the efficient use of land, particularly where there are good public transport links. Further, it encourages authorities to reject poor design.
- 2.16 It is considered that in these respects the proposed development complies with the current advice in PPG3.
- 2.17 The most relevant policy is H17 which relates to private sheltered housing schemes. This lists a number of matters which need to be addressed in considering such applications.
- 2.18 *The impact of traffic on surrounding properties.* This was a major concern in respect of the earlier application as the car park was located close to the adjoining property. The car park has been located to the front and to the Ashingdon Road side of the development. In this location it will have minimal impact on the amenities of the neighbouring properties. The concerns raised by the objectors relate to the problems that exist now with commuters parking in the road all day. Bearing in mind that the proposal relates to elderly person flats, it is not considered that the proposal will increase the amount of traffic significantly especially considering PPG3's advice to allow development with little or no parking in high accessibility areas such as this. The proposal will also have positive effects on highway safety with the closure of the two access points onto Ashingdon Road and the Inspector at the previous appeal considered this to be a considerable benefit and considered that a proposal for 14 flats would be unlikely to cause a problem in terms of highway safety.

- 2.19 *Storage and Communal Use areas.* The communal garden area is located alongside the western boundary of the site adjacent to a residential property. This property has a hedge running alongside this boundary and is set back from this boundary by about 8m with a large garage in between. Whilst the amenity area is well located for the residents of the proposal, it should not be positioned so as to detract from the amenities of the adjoining properties. However, bearing in mind the likely nature of the residents and the distances involved it is not considered that any significant harm will arise. The refuse storage area is located near the entrance and is screened by a brick wall. It is not considered that this will cause any problems.
- 2.20 *Accessibility to shops and services.* The proposal is located close to the town centre of Rochford, the railway station and is directly opposite a parade of shops. It is considered to meet this requirement.
- 2.21 *Car Parking.* The requirement stated in the local plan is one space for every two flats, plus adequate space for an ambulance. There is no resident warden, only a warden's office. The parking provision at six, plus a space for an ambulance space meets the standard and bearing in mind PPG3, it is considered acceptable and this is confirmed by County Highways who no longer have any objections following revisions made to the parking areas by the applicant.
- 2.22 *In areas of single family dwellings the compatibility of the scheme with its surroundings.* The proposal is located on the corner of a main road, close to the town centre. Further along Roche Avenue are bungalows with the odd two-storey dwelling. It is considered the Ashington Road frontage could take a three-storey element, with the rest being two-storey and this was suggested in the previous report to Members. Only two flats will be located on the third storey and these will front onto Ashington Road. Although the rest will be of two storey, the distance between the dwelling immediately to the east, a chalet bungalow, is quite large at around 15m and is similar to the gap existing at the moment. Because of the distance and the reduction in scale of the development as it moves away from Ashington Road, it is considered that it will not unduly dominate the properties in Roche Avenue. There are two storey flats on the south side of Roche Avenue and these do not look out of place, despite their modern appearance. The building will certainly make an impact, but, because of its design this will be a positive impact. The impact on the neighbours amenities will not be significant, again because of the substantial gap between the two properties and the planting along the boundary. When one considers the previous application, which came to around 2m from the boundary (and this was the proposed garage area) the current scheme is a great improvement. It is considered that the current proposal overcomes the shortcomings of the previous scheme in this respect and it is considered that the proposal will make a positive contribution to the Ashington Road street scene. The area gap between the proposed building and the western boundary will be used as the amenity area for the residents and this should help as a buffer between the existing development and the proposed.

- 2.23. *Adequacy of the amenity space.* Unlike the previous scheme the amenity area of the proposal is located to the west of the building, adjacent to the neighbouring property. This is considered an improvement as the amenity space was previously located on the Ashingdon Road frontage with little privacy and with much noise from traffic. A further amenity area is located to the rear and being sheltered type accommodation a communal lounge is provided which looks out onto the main amenity area.
- 2.24 In addition to the above another concern is the impact on the protected trees. Notwithstanding the comments of the Woodlands Officer, the applicant has attempted to take into account the trees. In line with the comments from the Planning Inspector at the last appeal, the building has been moved away from the trees to such an extent that they no longer pose a threat to them. The main concern of the previous scheme was with regard to the impact of the building on the trees and this has been addressed by the applicant and the Woodlands Officer makes no comments in this respect. He is concerned about the impact of paving under the canopy of the protected trees and having a turning area constructed underneath them. There are examples throughout the District where access is gained to developments under the canopies of trees. What is required is that suitable precautions to minimise the impact on the trees. The applicant is concerned about the trees and is willing to use a no digging form of construction for the parking areas and to utilise permeable surfaces with load spreading sub-bases (geoblock or similar) to ensure that the minimum of harm is caused to the trees. In some situations this is not practical because of levels etc. However, the road is quite a bit higher than the site, so this can be achieved. Even with such precautions there is a risk to the trees, but it is considered that with additional planting the proposal remains acceptable. The other concerns of the Woodlands Officer concerning the means of enclosure again can be resolved by appropriate techniques employed during the construction of the development.

#### CONCLUSION

- 2.25 It is considered that the proposal conforms with the policies of the Council, particularly Policy H17 and in respects of safeguarding the existing residential amenity of the area. It is also considered that the proposal, by providing a quality building close to services, of small units for the elderly will meet the requirements of PPG3.

#### RECOMMENDATION

- 2.26 It is proposed that this Committee **RESOLVES** to **GRANT PERMISSION** subject to the following conditions:
- 1 SC4 Time Limits
  - 2 SC14 Materials
  - 3 SC23 Obscured Glazing
  - 4 SC28 Use Class Restriction
  - 5 SC50 Means of enclosure
  - 6 SC60 Tree Protection
  - 7 SC59 Landscaping

- 8    SC89 Access Details
- 9    SC75 Parking
- 10   SC90 SW Drainage
- 11   SC91 FW Drainage
- 12   The construction details of the proposed driveway shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

**Relevant Development Plan Policies and Proposals:**

H2, H11, H17, H19 and H24 of the Rochford District Local Plan First Review

  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application are Cllr Mrs H L A Glynn.  
Cllr V H Leach. Cllr R F R Adams.

For further information please contact Mark Mann on (01702) 546366.

01/00269/FUL



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REV.

TITLE :                    01/00240/FUL  
                              ERECT TWO STOREY OFFICE BUILDING, LAYOUT AREA  
                              FOR DELIVERIES AND TAXI STORAGE  
                              LAND REAR 4-8 EASTWOOD ROAD  
                              RAYLEIGH

APPLICANT :            ABBA CARS

ZONING :                POLICE STATION

PARISH:                RAYLEIGH TOWN COUNCIL AREA

WARD:                  RAYLEIGH CENTRAL

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#### PLANNING APPLICATION DETAILS

- 3.1 This application proposes the erection of a two-storey building with a conventional pitched roof. The height to the eaves will be 5.9m approx and to the ridge 9.8m approx. It is to have gable features to all sides. The external footprint of the building will be 108sqm approx. The internal space is to be put to offices with a quoted figure of 190sqm of office space.
- 3.2 The building is to accommodate the existing taxi control centre that is currently located at Rayleigh station. The applicants have indicated that taxis will not call at the office building to collect clients.
- 3.3 As part of the development of the site, it will be laid out with 6 spaces for taxi storage and one disabled parking space. The taxi storage is for long term parking. This is generally to be for vehicles which are used for school transport purposes but which are not required during the school holiday periods. The applicants have indicated a willingness to enter into a legal agreement to regulate this storage.
- 3.4 Access to the site is from the existing access driveway between 6 and 8 Eastwood Road.
- 3.5 Members may recall a report to the 31 August 2000 meeting of this committee. An application for the same type of development, but in outline form, was reported at that time (ref 00/00400/OUT). There was to be a legal agreement which required the current use of the site for taxi parking to cease. As part of that application, only one vehicle parking space was to be provided on the site.

#### RELEVANT PLANNING HISTORY

- 3.6 Application CU/034/98. This was to use the site for the parking of cars for staff from the adjacent Somerfields supermarket. This was approved.

- 3.7 There is a current outstanding enforcement case related to the use of the site for taxi parking. The allegation is that the vehicles enter the site from the Eastwood Road entrance rather than from the Somerfield car park, as is required by condition 2 of permission CU/034/98.
- 3.8 Application 00/00400/OUT. This was the previous application for the development of an office building on the site referred to above. The committee resolution was that the authority was minded to approve the proposals subject to the completion of a legal agreement. That legal agreement has not been completed so the application has not been determined.

#### CONSULTATIONS AND REPRESENTATIONS

- 3.9 The County Surveyor has no objections subject to the following conditions:
- taxi storage for school holiday periods for vehicles not in use for the whole of that time;
  - other than the above, there shall be space within the site for the parking of one disabled vehicle and one delivery vehicle only;
  - pedestrian visibility splay;
  - details of surfacing.
- 3.10 The Environment Agency makes comments only in relation to dealing with water flows from the site.
- 3.11 Anglian Water comments that there should be no construction within 3m of a sewer which runs to the south east side of the site.
- 3.12 The County Archaeological Officer has no comments.
- 3.13 Local Plans note that the site is on land zoned for police use. However, it is understood that the site is not owned by the Police Authority and permissions have been granted previously for other uses (the car parking). It is appropriate to deal with the proposals in accordance with Policy SAT15: this policy allows small scale office uses within the central shopping commercial area.
- 3.14 The Head of Housing, Health and Community Care notes that there is the potential for the proposals to result in noise and disturbance as a result of the vehicular movements. It is suggested that the hours allowed for vehicular movements are controlled.
- 3.15 The Highways and Buildings Maintenance Manager (Engineers) note the presence of the sewer adjacent to the site.
- 3.16 Rayleigh Town Council has no objections.
- 3.17 Rayleigh Civic Society remains concerned about the use of the access to the site by vehicles. This is because of the potential conflict with pedestrians

- 3.18 One neighbouring occupier has responded to consultations objecting on the basis of the possibility of a right of light issue and that the proposals will lead to noise and vehicle movement disruption.

**MATERIAL PLANNING CONSIDERATIONS**

- 3.19 The planning considerations were established in the consideration of the previous application for the site, 00/00400/OUT, referred to above.

- 3.20 It is necessary to consider:

- whether the zoning of the land for police use represents a reason for objection to the proposals;
- whether the proposed office type use is compatible with the relevant Local Plan policies;
- whether the nature of the use, and layout of the site are likely to result in amenity or other harmful impacts; and,
- whether taxi storage on the site raises any particular amenity or other issues (this was not considered as part of the earlier scheme as no taxi storage was proposed).

**Zoning**

- 3.21 As identified above, the site is actually located within an area of land zoned for police use in the Local Plan. The land is not owned by the Police Authority and it is understood that the zoning was supposed only to reflect the existing police station use rather than any objectives for future police related development.

- 3.22 It is not considered that this zoning represents an obstacle to the development proposals.

**Local Plan policy**

- 3.23 Whilst the site is not within the identified shopping or commercial zones identified in the Local Plan, it seems most suitable to judge the proposals against policy SAT15 of the Local Plan which deals with proposals for office development.

- 3.24 In the policy it is indicated that permission will normally be forthcoming for small scale B1 developments provided there is no loss of ground floor retail space and there is no conflict with other policies in the plan. There is no loss of retail in this case and it does not appear that any other policy objectives are compromised.

**Amenity**

- 3.25 It is not the intention to provide any general car parking on the site for the occupiers of the building, over and above the single disabled persons space. The principle of this lack of general parking was accepted by the Authority with the resolution to grant the previous proposals on the site. In that case, and now, the argument is put that the location is a central one and near to existing public car parks such that alternative provision is available. The use of the building for general office use is a quiet use and not one which it is considered will have a harmful impact on amenity in the vicinity of the site.



- 3.26 When the height and scale of the proposed building is compared with the adjoining existing police station building and its distance from other adjacent buildings compared, it is clear that it will not have any unacceptable overshadowing or dominating impact.

**On site taxi storage**

- 3.27 The remaining matter to consider then is the use of the site for long term taxi storage. Six spaces are intended to be provided for this storage use. In general terms, these vehicles are used for school transport purposes and are to be stored here when not required. This is during the school holiday periods. During the term times the vehicles will be kept by the drivers at their own domestic premises. Storage will take place then during the longer school holidays between terms time periods and also during the half term periods.
- 3.28 The applicants have undertaken to enter into a Legal Agreement that would control the use of the site for vehicle parking. Whilst it is anticipated that such an Agreement may be difficult to formulate it is anticipated that a wording can be devised which will express, for example, a minimum period during which the vehicles must stay on the site. This will reduce the potential for short term storage and frequent vehicle movement on and off the site.
- 3.29 Highway Authority Officers have considered the proposals on the basis of this form of control. In addition consideration has been given to the level of traffic movements that are therefore likely to be generated by the site, and along the combined foot and vehicular access to Eastwood Road, in comparison with the traffic movements that would be associated with the previously allowed Somerfield car parking use. Whilst it is recognised that there remains some potential for conflict, the overall impact is not considered to result in any excessive worsening of conditions for pedestrians.

**CONCLUSION**

- 3.30 The proposals represent a form of development which is acceptable in a town centre location and are one which has recently been found to be acceptable on this site. The change between this scheme and that which was put forward earlier, is to accommodate an element of long term taxi storage on the site. It is not considered that the impact of this storage is such that the proposals should be resisted on this basis.

**RECOMMENDATION**

- 3.31 It is proposed that this Committee **RESOLVES** that this application is **APPROVED** subject to the completion of a Legal Agreement dealing with the following matter:
- 3.32 That a minimum period be specified during which vehicles stored at the site (in spaces which will be identified on a plan for such storage) shall remain on the site. It is suggested that this minimum period be not less than 5 full days

3.33 And the following conditions:

- 1 SC4 Time limits full – standard
- 2 SC14 Materials
- 3 SC34 Floodlighting prohibited
- 4 SC50 Means of enclosure
- 5 SC59 Landscape Design
- 6 Provision of pedestrian visibility splays
- 7 Provision of on site parking areas
- 8 Vehicle parking area surfacing

**Relevant Development Plan Policies and Proposals:**

EB1, TP15, SAT15 of the Rochford District Local Plan First Review

CS1, BE1, BIW3, BIW5, BIW6, TCR5, T12 of the Essex and Southend on Sea Replacement Structure Plan

  
Shaun Scrutton  
Head of Planning Services

The local Ward Member(s) for the above application is/are Cllr Mrs J Helson.  
Cllr Mrs L I V Phillips.

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

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REV.

TITLE :                    01/00639/PD  
                              'NOSEBAY' ROOF EXTENSION TO EXISTING HANGER  
                              BUILDING  
                              HEAVYLIFT HANGER, LONDON SOUTHEND AIRPORT

APPLICANT :            LONDON SOUTHEND AIRPORT

ZONING :                CIVIL AIRFIELD

PARISH:                ROCHFORD PARISH COUNCIL AREA

WARD:                  ROCHFORD ST. ANDREWS

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#### APPLICATION DETAILS

- 4.1 These proposals do not constitute a planning application. The operator of the airfield has the benefit of permitted development rights to carry out operational development within the airfield subject to certain limiting criteria and providing that the Local Planning Authority is consulted prior to the commencement of the development. There is no prescribed timetable for that consultation to take place. Notification of these proposals was received on 10<sup>th</sup> August 2001.
- 4.2 The 'nosebay' extension proposed comprises an additional element to the roof of an existing hanger building at the airfield. Currently the building consists of a single large span, with a height to the ridge of 16m. To the south of this main span are a number of projections, mostly with height to the ridge of 8.4m approx. The proposed extension will be placed above one of these side projections and form a 'lean-to' type addition to the main building. The highest part of the addition will not project over the ridge of the main roof at 11.4m approx.

#### RELEVANT PLANNING HISTORY

- 4.3 The erection, alteration and extension of existing and former airfield related buildings on the site.

#### CONSULTATIONS AND REPRESENTATIONS

- 4.4 Whilst this is not a planning application, consultations have been undertaken with the neighbouring residential and commercial occupiers and appropriate statutory undertakers. No feedback has been received to date, but will be reported on the addendum paper tabled at the meeting.
- 4.5 Consultees will be permitted a period to respond that will extend beyond the date of this Committee meeting by a matter of a few days. Subject to the responses received the Committee is requested to delegate the authority to respond to the matter to the Head of Planning Services.

**MATERIAL PLANNING CONSIDERATIONS**

- 4.6 It is appropriate to consider the visual impact of the proposed extension. It involves only a small addition to the building in relation to its current size. It does not project above the ridge of the main building. *Currently the building consists of one main structure with a number of projecting elements.* As a result it is considered that the visual impact of the extension will be minimal. Indeed, it is unlikely that the addition of this proposed element will be readily visually apparent.

**CONCLUSION**

- 4.7 The proposed extension is considered acceptable in visual terms.

**RECOMMENDATION**

- 4.8 It is proposed that this Committee **RESOLVES**, subject to the completion of the consultation period, to delegate authority to the Head of Planning Services to notify the applicant that it has **NO OBJECTION** to the proposed building extension.

**Relevant Development Plan Policies and Proposals:**

EB1 of the Rochford District Local Plan First Review

CS1, BIW8 of the Essex and Southend on Sea Replacement Structure Plan

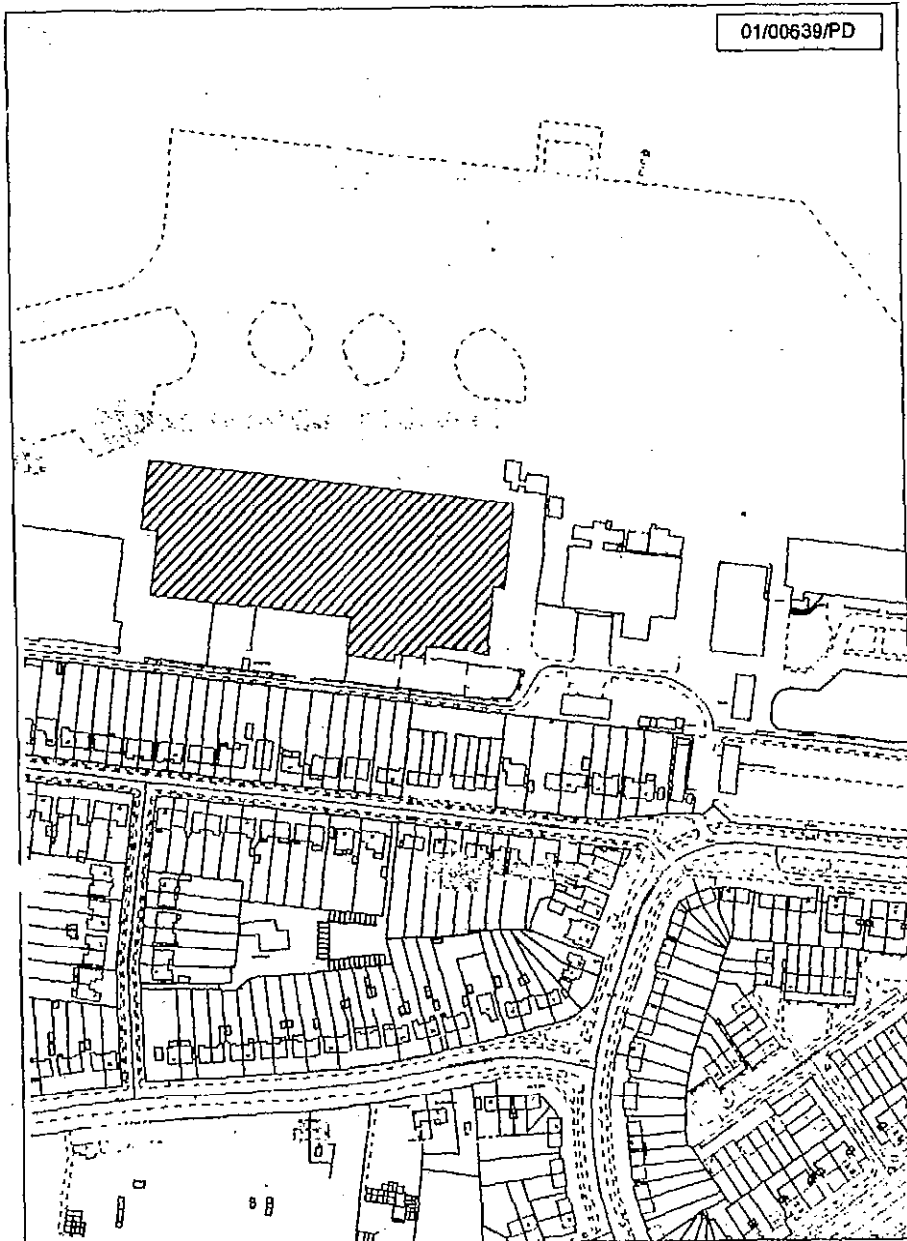
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application are Cllr R A Amner, Cllr D A Weir

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

01/00639/PD



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*Q.P.*

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TITLE: 01/00256/OUT  
OUTLINE APPLICATION FOR THE ERECTION OF A BLOCK  
OF 10 FLATS  
72-74 THE APPROACH RAYLEIGH

APPLICANT: M D GATRELL

ZONING: RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: GRANGE AND RAWRETH

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**PLANNING APPLICATION DETAILS**

- 5.1 This outline application relates to the erection of a two-storey block of ten flats. Although in outline the application seeks approval for the siting, design and means of access at this stage and plans showing the proposed development have been submitted for consideration. The landscaping and the means of access are to be considered at a later date if outline consent is granted.
- 5.2 The site is currently occupied by a pair of semi-detached houses with garages and is located on the corner of Lansdowne Drive and The Approach, just to the north of the railway line and the car park for the station that runs alongside it.
- 5.3 The site measures approximately 33.6m x 42.5m and the existing pair of semi's have a footprint of around 16.5m x 12.5m. The proposed flats will have a footprint of around 29m x 10m., with a ridge height of 9.5m.
- 5.4 Since the submission of the application the drawings have been revised and the proposal has been reduced slightly in scale and moved further east. Re-consultation has taken place, although at the time of writing the consultation period has not lapsed. Any further comments received will be either put on the addendum or reported verbally.

**CONSULTATIONS AND REPRESENTATIONS**

- 5.5 **Parish Council**  
The Town Council objects to the application as it is considered to be an over-development of the site and visually intrusive.
- 5.6 **Anglian Water**  
Has no objection in principle, but suggests that Conditions relating to the submission of details in respect of the foul and surface water drainage be attached to any Permission. Surface water will not in any circumstances be permitted to discharge into the public foul sewer.

5.7 **Rayleigh Civic Society.**

Consider the development visual intrusive being out of character with the mainly semi detached properties in the area particularly with the car parking to the front of the building and its untidy appearance with various sized windows and balconies on the front elevation. The proposal will also affect the outlook of the properties on Swallow Close and the proposal would overlook the dwellings to the rear.

5.8 **County Highways**

Recommends a number of Standard Conditions relating to the provision of visibility splays, parking provision and the use of permanent materials for the parking areas.

5.9 **Adjacent Residents**

A total of 20 letters of objection have been received, plus 3 letters from local resident associations object to the proposal. An additional 2 petitions have been received, one with 21 signatures and the other with 114 signatures on them. The main concerns relate to the size of the building, which is considered excessive and is out of character with the area. This will result in a loss of privacy and loss of outlook for the properties surrounding the site, as well as impacting on the street scene. Other concerns relate to the development on existing services, including roads, drains, Schools, Doctors, etc; insufficient parking provided; conflict with the emergency access to Swallow Close from cars using the site; de-valuation of property; noise from the proposed parking areas; security concerns; proximity of the proposal to telecommunication mast; and the need to adopt The Approach.

**MATERIAL PLANNING CONSIDERATIONS**

5.10 The material considerations in respect of this application are primarily the Policies in the Local Plan, namely: Policy H2 (Density should reflect character of the area and make the most efficient use of land); H11 (Design and Layout); H16 (Purpose built flats); H19 (small sites) and H24 (Safeguarding amenity of area). In addition, the revised PPG3 on Housing is also relevant to the consideration of this application.

5.11 The revised scheme shows a two storey block of flats which will provide 10 one bedroom flats. PPG3 considers that it is important for authorities to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours. It also advises that authorities should ensure that new housing development help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics. Bearing in mind that the majority of projected growth will be in one person households, authorities are advised to adopt policies which take full account of these changes and which will widen the range of housing opportunities to allow those changes to be met. PPG3 also promotes more sustainable residential environments and suggests, amongst other things, that new housing developments are located close to transport routes and that they are accessible by a range of non car modes and that authorities should encourage the efficient use of land, particularly where there are good public transport links. Further, it encourages authorities to reject poor design.

5.12 It is considered that, bearing in mind the requirements of PPG3, the general principle of having a block of single bedroom flats, location close the Station is acceptable.

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- 5.13 As mentioned above, the proposal has been amended since the application was first submitted. Primarily, this was as a result of the plans being inaccurate as they included some of the garden area of an adjoining property, but also because of concerns raised by Officers about the impact of the proposal on neighbouring properties, particularly in respect of the accommodation on the second floor and the bulk and mass of the building.
- 5.14 The bulk and mass of the building remain largely unaltered with ridge height of over 9m (eaves height 5.5m), a depth of around 10m and a width of 29.5m. At its maximum, the roof spans nearly 10m which is twice that suggested in the Essex Design Guide. This results in a rather top heavy design. The span of the existing roofs is typically around 7m.
- 5.15 Whilst the proposed building will remain the same distance from the properties to the North as the existing semi's, it will be located less than 10m from some of the properties in Swallow Close. Although there are no windows on the West elevation the proposal's bulk and mass will tend to dominate the outlook of these properties that back onto the site from Swallow Close. This is despite the modifications that have been made to the proposal, i.e. the provision of a hipped roof and the moving of the development eastwards away from Swallow Close. With the removal of the second floor accommodation from the proposal, there will be no significant loss of privacy, compared to what exists now. However, those properties to the North will suffer loss of outlook and possibly some overshadowing, due to the increase in the bulk and mass of the building. Moving the development East also brings it closer to Lansdowne Drive and it will be only 2m from the back edge of the pavement. The existing properties along Lansdowne Drive are primarily set back by over 7m. Bringing the building that much closer to the highway will increase the impact on the street scene. This is particularly true when viewed from the North along Lansdowne Drive because of the difference in levels and the building's proximity to the road, a large part of the rear elevation will be clearly seen and this will have an adverse impact on the street scene.
- 5.16 The proposed amenity area amounts to approximately 208m<sup>2</sup> which is provided at the rear of the flats and around 11m<sup>2</sup> in the form of balconies at the front of the property. The total is around 217m<sup>2</sup> which is slightly below that required by local policy, which is 25m<sup>2</sup> per flat, giving a minimum figure of 250m<sup>2</sup>.
- 5.17 Car parking is provided directly from The Approach and Lansdowne Drive, with cars being within one metre of living room windows. This would result in a poor degree of internal privacy to these rooms which is contrary to local policy. It is considered that the amount of parking is acceptable, a total of 15 spaces, but having vehicles reversing out of spaces within 10m of a junction is not ideal, especially when there is a block of garages doing the same directly opposite. The parking spaces fronting The Approach area directly opposite the car park for the Station, where this is less of a problem. However, residents have pointed out that this unadopted part of The Approach is on emergency access to Swallow Close.

*QCB*

- 5.18 *Although the Highway Authority has not raised any objections, the Conditions requiring a visibility splay would be difficult, bearing in mind the parking spaces cannot be moved further into the site because of the location of the building. Moving the building further into the site is possible, but that would reduce the amount of amenity space and it would increase the impact on the neighbouring properties.*
- 5.19 *Providing car parking directly to the front and accessing directly onto the highway is not only a highway safety concern; such parking provision also has an impact on the street scene and is contrary to the principles of the Essex Design Guide, which attempts to hide the presence of parked vehicles behind a built up frontage. However, bearing in mind the Station car park and the garage block, such parking would not look out of place in the street scene.*
- 5.20 *With respect to the other issues raised by the objectors, for example, security or drainage concerns, these could be considered at the Reserved Matters stage, with the provision of adequate fencing in terms of security. The issue of drainage, particularly the problems of surface water drainage, again could be dealt with then, by the use of permeable materials for the parking areas. However, it should be noted that Anglian Water have not raised any objections to the proposal. With respect to concerns about loss of value, this is not a planning matter.*

#### CONCLUSIONS

- 5.21 *On balance, although the proposal has been altered, it is still considered that the design of the building is too bulky and too large for the site. There is insufficient amenity space proposed; the size of the building would adversely affect neighbouring properties in terms of loss of outlook and light; the proposed parking areas would be poor in terms of the impact on highway safety and in terms of the impact on privacy of the proposed flats and, lastly, the bulk and mass would look out of character with the existing buildings.*
- 5.22 *Although this is an outline application, Members are asked to consider the details of design, access and siting as detailed in the submitted plans, as these are not reserved for future consideration. For the above reasons, these details are not considered acceptable and they are therefore contrary to the adopted policies of this Council contained in the Local Plan; in particular, Policies H11, H16 and H24. The application is therefore recommended for refusal.*

#### RECOMMENDATION

- 5.23 *It is proposed that this Committee RESOLVES that the application is REFUSED for the following reasons:-*
- 1 *The proposal, by reason of its design, mass and siting will have an adverse impact on the amenities of neighbouring properties, particularly in respect of loss of outlook and overshadowing.*

**PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001    Item 5**

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The proposal will result in a cramped form of development, with insufficient amenity space and an undesirable form of parking, which is considered detrimental to highway safety and the privacy of the proposed flats.

The proposal by reason of its design and size is out of character with the area and is detrimental to the street scene.

For the above reasons, the proposal is considered contrary to Policies H11, H16 and H24 of the Rochford District Local Plan.

**Relevant Development Plan Policies and Proposals:**

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

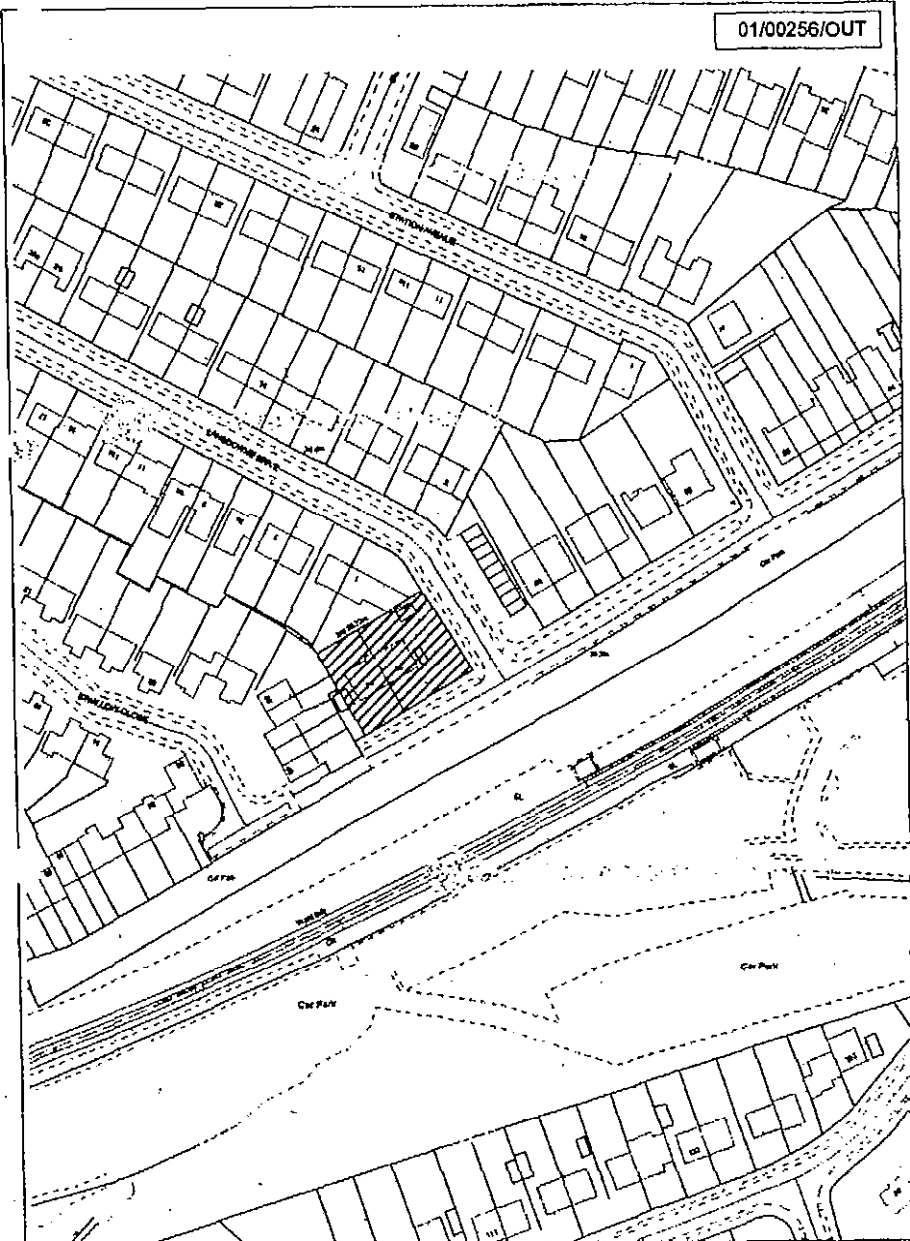
  
Shadr Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application are Cllr P J Morgan. Cllr G A Mockford. Cllr R F R Adams.

For further information please contact Mark Mann on (01702) 546366.

01/00256/OUT



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TITLE: 01/00480/COU  
CHANGE OF USE OF LAND TO FORM ADDITION TO  
EXISTING GOLF COURSE.  
HANOVER GOLF CLUB HULLBRIDGE ROAD, RAYLEIGH

APPLICANT: HANOVER GOLF AND COUNTRY CLUB LTD

ZONING: METROPOLITAN GREEN BELT

PARISH: HULLBRIDGE PARISH COUNCIL

WARD: HULLBRIDGE SOUTH

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#### PLANNING APPLICATION DETAILS

- 6.1 The proposal seeks the extension of the existing golf course to include via a change of use, land north of the brook, which currently forms the northern boundary of the golf course.

#### RELEVANT PLANNING HISTORY

- 6.2 Various planning permissions have been granted for the land within the boundaries of the Hanover Golf Club, to the south of this site.
- 6.3 CU/612/91 - change of use to agricultural recreational farm park and retention of mobile home. This application included land to the east of the current site being considered which included the siting of the caravan - an area excluded from the current application.

#### CONSULTATIONS AND REPRESENTATIONS

- 6.4 **Hullbridge Parish Council** - concern expressed over adequate protection to adjacent properties against stray golf balls and it was requested that a proper ecological study of the area be carried out.
- 6.5 **Local plans** - The application site lies within the Metropolitan green Belt, and also a Landscape Improvement Area. Policies LT7 and RC 8 are applicable to the consideration of this application.
- 6.6 **Neighbour notification letters** - Five responses to the proposal. Concerns raised that there should not be an entrance to the site via Kingsway (x2), loss of views (x2), potential water logging of ground resulting from the proposed pond, vegetation alongside the brook which will run across the site needs attention.

**MATERIAL PLANNING CONSIDERATIONS**

**6.7 Ecological Appraisal**

The applicant commissioned an ecological appraisal of the site by Green Environmental Consultants of Swaffham Bulbeck, Cambridge. The report considered the likely presence of species (animals and plants), population size, use of the site by animals, and the possible impacts of the development on these considerations, if any.

**6.8 Surveys were carried out:**

- The hedgerows and stream
- An amphibian survey of the pond and surrounding areas
- Reptiles
- Bat survey of the large trees
- Badger survey
- Water vole survey
- A habitat assessment to evaluate the potential for birds.

**6.9** In summary the report concluded that the reptile and amphibian surveys yielded no results. No water voles were found around the existing pond although this and the stream had many rat holes, but a water vole was seen along the southern bank of the stream. The site was generally species-poor with the stream and mature trees representing the only good wildlife habitats.

**6.10** It concluded that the crossing of the stream requires careful positioning to avoid the felling or lopping of mature trees, which may have Bats, and to avoid potential damage to Water Vole habitat.

**6.11** The proposal clearly introduces an opportunity to encourage the bio-diversity on site. A condition requesting further landscaping and planting will be attached to any permission, in line with policy LT7 of the local plan.

**6.12 Access from Kingsway**

Local residents were concerned at the possible use of the land with potential access to Kingsway. A condition restricting access to purely maintenance vehicles would be attached to any planning permission.

**6.13 Golf Ball Damage**

The threat to rear windows of dwellings along Lower Road has been raised by the Parish Council. At the same time local residents have raised no objection to the golf course extension as such, but were concerned at the possible loss of views resulting from the extra hedge and tree planting. To overcome the concerns of the Parish Council a high chain link fence would be required to run along the rear boundary of the houses in Lower Road. This would represent a rather obvious barrier and although this would allow views through the mess would evidently affect the outlook for residents. Another consideration is the fact the green belt boundary runs through the middle of the rear gardens and its siting would thus be within the green belt. Undoubtedly this would have a detrimental affect on the openness of the green belt.

- 6.14 The rear gardens generally extend to at least 35 metres. Given the distances involved it is considered that the need for a tall chain link fence to the rear of properties in Lower Road would affect the residents' outlook rather than protect the windows to their dwellings. The proposed hedging alongside the boundary is a matter of concern for the residents. At the same time this would help to reduce any golf ball invasion, but it might also be appropriate to attach a condition for the seasonal maintenance of the hedging. The Loss of a view and outlook is not a material consideration. It is felt that the lack of a vast chain link fence and the proper management of the hedging will go some way to protecting the rural outlook, at the same time allowing residents a reasonable view, rather than a dense and ever growing screen at the bottom of their properties.
- 6.15 **The stream**  
Now that both banks are clearly part of the same ownership the owners will have to comply with the appropriate regulations.
- 6.16 **Water-logging**  
This is a current cause of concern related to the pond outside of the applicant's site. There is no reason to presume that the proposed pond will contribute further to the water-logging of adjacent land.
- 6.17 **Policy Considerations**  
In terms of green belt policy GB1 accepts 'small-scale... out door participatory sport' as being an acceptable activity within the green belt.
- 6.18 Golf course facilities are considered by Policy LT7, the proposal meets the requirements of LT7 in terms of wildlife and habitat considerations. The site is not unduly prominent and there are good road communications with the rest of the district.
- 6.19 Policy RC8 Landscape Improvement Areas. The proposal would not be detrimental and harmful compared with the existing appearance and character of the landscape.

#### CONCLUSION

- 6.20 Officers do not believe that there are any reasons to refuse this application. Various planning conditions can be attached to the planning permission that will overcome the majority of the concerns that have been raised.

#### RECOMMENDATION

- 6.21 It is proposed that this Committee **RESOLVES to APPROVE** the application
- 1 SC4 Time Limit Full -Standard
  - 2 There shall be no public access to the site from Kingsway, whether vehicular or pedestrian with the exception of work for maintenance on the site.
  - 3 Prior to commencement of development on the land, full details shall be provided in writing to the Local Planning Authority showing the siting and appearance of the bridge(s) to be provided crossing the stream. Any proposal shall be supported by a full ecological assessment.

- 4 No tree on site shall be felled or lopped without first obtaining the written approval of the Local Planning Authority.
- 5 A scheme detailing the proposed hedging along the northern boundary of the site (to the rear of properties fronting Lower Road) and its seasonal maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The hedge shall not exceed 5m in height at any time.
- 6 Prior to commencement of the approved development on site a detailed scheme of landscaping encouraging the biodiversity on the site, shall be submitted to and approved in writing by the Local Planning Authority.

**Relevant Development Plan Policies and Proposals:**

GB1, LT7, RC8

of the Rochford District Local Plan First Review

of the Essex Structure Plan Adopted 2<sup>nd</sup> Alteration

C2, CS2, NR11, LRT3,

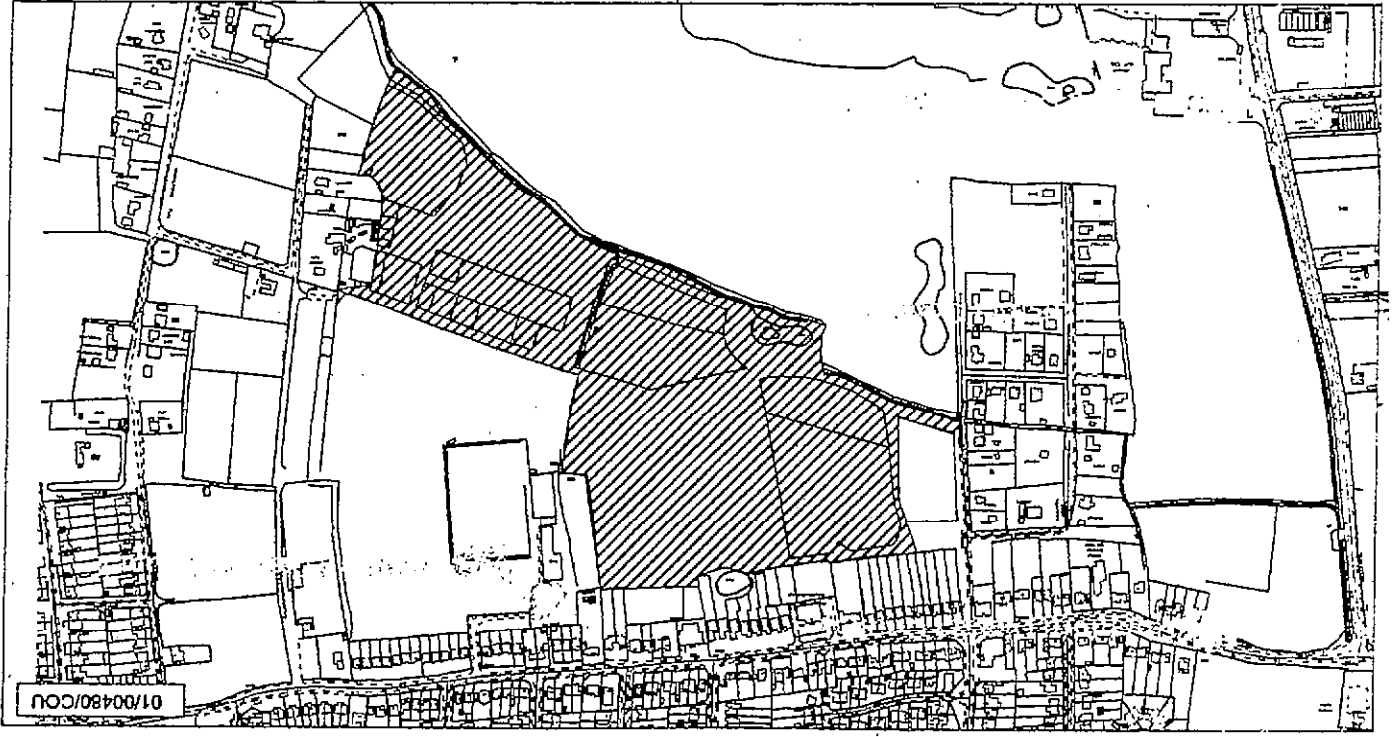
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Members for the above application are Cllr Mrs W Stevenson.  
Cllr Mrs R Brown.

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





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TITLE: 01/00621/COU  
CHANGE OF USE OF BUILDING FROM OFFICE USE  
ANCILLARY TO FORMER ON SITE MANUFACTURING USE  
TO SEPARATE FREESTANDING OFFICE USE.  
26 BROOK ROAD  
RAYLEIGH

APPLICANT: INTER CITY TRADING

ZONING: EXISTING AREA PRIMARILY FOR INDUSTRIAL USE

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHITEHOUSE

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#### PLANNING APPLICATION DETAILS

- 7.1 This application relates to an existing building on the south side of Brook Road. The last use of the building was as an office and, when in use, it was associated with and part of the Falmer Jeans use of the buildings. The use of the building then was a part of the overall manufacturing use on the site.
- 7.2 As Members may well know, the Falmer Jeans use of the site has ceased. Subsequent to that, permissions have been granted for the manufacturing building on site to be subdivided into four separate units. At least two of these are now occupied by different users.
- 7.3 From the original site then the office building remains unused. The application seeks permission to use that building as a freestanding office, that is, not in connection with any other use on the former site.
- 7.4 This application is before Members as a fast track matter. The intended occupier of one of the floors of the building is currently located in Leigh-on-sea and proposes to bring the equivalent of 30 full time equivalent jobs to the site and district.

#### RELEVANT PLANNING HISTORY

- 7.5 Numerous permissions for the original construction of the building, as part of the manufacturing uses on the site, and additions to it, amounting to the building as it currently exists.

#### CONSULTATIONS AND REPRESENTATIONS

- 7.6 Given that this is a fast track matter the period during which consultation responses can be made is yet to expire. Feedback which is received prior to the meeting will be included in the addendum sheet.

**MATERIAL PLANNING CONSIDERATIONS**

- 7.7 The principle of the use of the site merits consideration. Office uses fall within Class B1 of the Use Classes Order. Policy EB2 of the Local Plan indicates that in those areas allocated primarily for industrial purposes, Class B1 uses are one of those that will normally be allowed. The principle of the use is acceptable then within the appropriate Local Plan policy. Indeed, in this case the building to be used was originally constructed with office use in mind and does not, therefore, result in the loss of any manufacturing space.
- 7.8 The second main issue relates to the capacity for car parking at the site. Parking provision generally on the Industrial Estate is limited and there are particular points within the area where shortages appear acute. This is largely due to the time when the majority of construction of the units took place. When they were built, the reliance on the use of private vehicles was not foreseen or anticipated, therefore few spaces were provided.
- 7.9 This office is to have the benefit of 22 spaces. There is no additional land associated with it on which additional spaces could be provided. Removal of the landscaping provision to the frontage would not assist in this respect as it would not create sufficient additional space to provide more parking.
- 7.10 The building is to have a floorspace of 1096sqm. Using the current car parking standards this would require the provision of 36 spaces. Clearly provision is below this. Whilst the standard requirement is recognised, both the current local standards and those set out in Planning Policy Guidance Note 13 (Transport) require that greater encouragement is given to alternative methods of transport, for example by the provision of facilities for cyclists. No such facilities are shown to be proposed for this site, but to meet that standard, 21 cycle parking spaces should be provided. Whilst none are shown at present some could be incorporated into the site layout.
- 7.11 There would not appear to be any other issues that are significantly material in this case. The judgement to be made then is whether the lack of parking spaces can have such weight attributed to it that permission should not be forthcoming. The harm that is likely to arise, should permission be given, is that congestion in and around the site will increase. Most who work at the site will become familiar, of course, with the difficulties of parking at it and will be likely to settle for parking which is more distant. It is certainly the case that, to the west, closer to the entrance to the estate, parking is more plentiful. The provision of cyclist facilities may have the benefit of removing some of the vehicle journeys to the site.
- 7.12 When making the decision the alternative to not granting permission should be considered. As we know, the building is one which already exists. The specification of it is unlikely to prove attractive to general industrial or storage/distribution uses. These are the other uses which are acceptable in principle in the area and which attract lower parking standards. It would seem then that, in the absence of a permission, the building may well fall out of any use in the long term, with the consequent loss of employment from the area.

- Clearly if a new building were to be implemented here it would be reasonable for the Authority to require one which paid full regard to the parking standards. In this case the fact that the building is already present on the site, as has been for a considerable period must be a factor that tempers the normal requirement for full parking standard provision.
- 7.13
- 7.14 In any event it is likely, were this application not to be successful, that the applicants will pursue an application for a Lawful Development Certificate, on the basis that the use of the building was not an ancillary one on the site and that permission is therefore not now required to occupy it as a separate unit. Whilst the outcome of this cannot be anticipated, it would remove the possibility the Authority has, at this stage, to require parking provision for alternative transport modes: the cyclist spaces.
- 7.15 Notwithstanding that this matter is presented as a fast track item it is considered that the issues that are likely to arise can be clearly foreseen in this case. It is anticipated that the decision will turn on the matter of the parking provision. It is further considered that, on the basis of the arguments set out above, that the use of the building should be permitted, but that the applicant should be required to implement cyclists parking provision within the scheme. If this course of action is acceptable to the Members it is requested that authority be delegated to the Head of Planning Services to determine this application after the expiry of the consultation period and subject to the inclusion of cyclist parking provision within the scheme.

#### CONCLUSION

- 7.16 The principle of the use of the building is acceptable within the Industrial Estate. Re-use of the building however leads to a requirement for parking which cannot be met on the site. The building has been in existence on the site for some time and, alternatives to re-use for office purposes appear limited. Alternative parking provision is available, be it more remote from the building. Parking provision for cyclists can be incorporated in an attempt to encourage alternative travel modes to the site.
- 7.17 It is considered that the re-use of the building for office purposes is preferable to possible non-use, or for other uses which could have equal demands for parking.

#### RECOMMENDATION

- 7.18 It is proposed that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to **APPROVE** this application after the expiry of the consultation period and subject to the inclusion of cyclist parking facilities within the scheme. The following heads of condition, along with any others suggested by the County Surveyor, also to be applied:
- 1 SC4 Time Limits Full
  - 2 SC76 Parking and Turning Space

**Relevant Development Plan Policies and Proposals:**

EB1, EB2, TP15 of the Rochford District Local Plan First Review

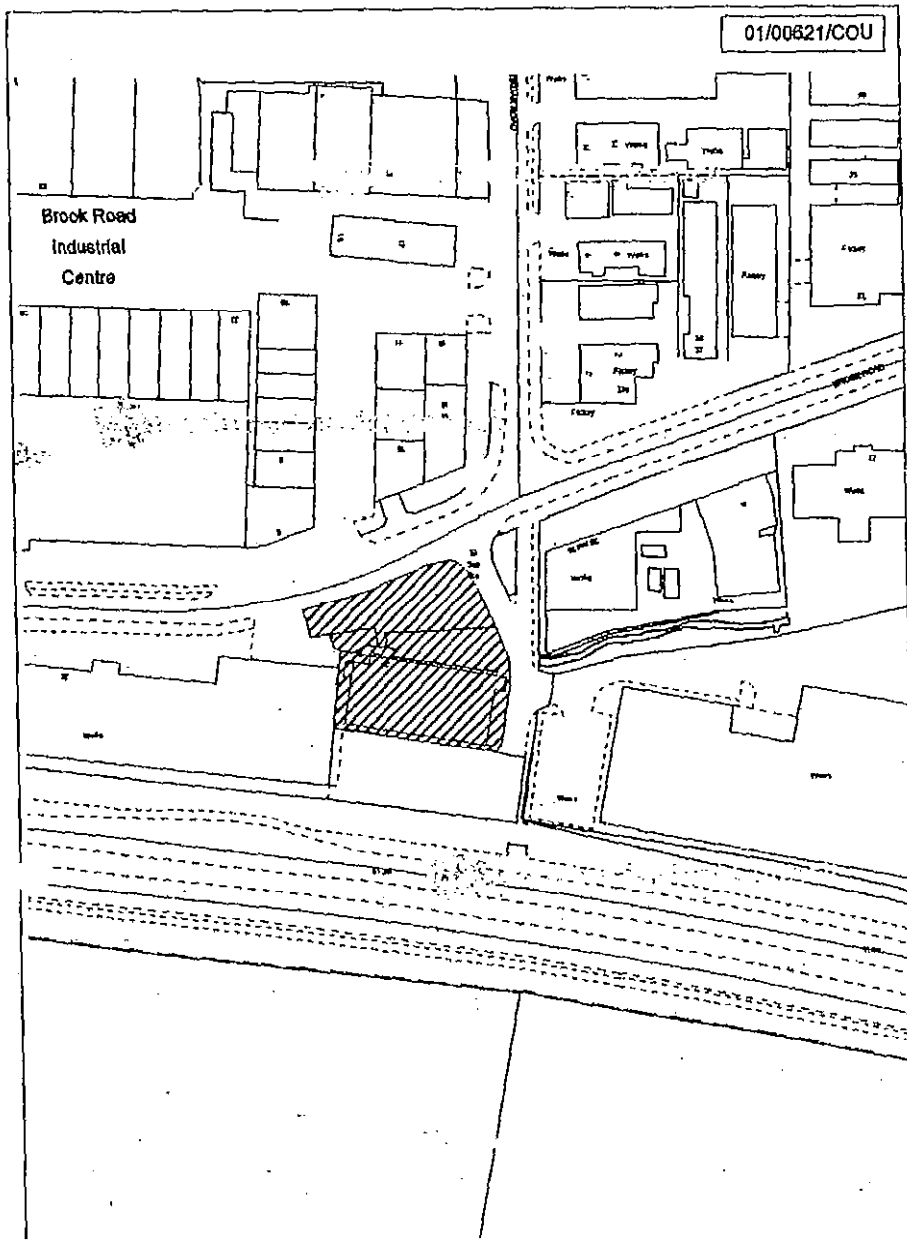
CS1, CS3, BIW6, T3, T6, T12 of the Essex and Southend on Sea  
Replacement Structure Plan

  
Shaun Scrutton  
Head of Planning Services

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The local Ward Members for the above application are Cllr Mrs M Giles. Cllr  
P F A Webster.

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



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TITLE : 01/00529/GD1  
CONVERT FORMER SCHOOL TO CONSERVATION CENTRE  
FOULNESS VOLUNTARY PRIMARY SCHOOL CHURCH END  
FOULNESS ISLAND

APPLICANT : DEFENCE ESTATES EAST

ZONING : RURAL LAND OUTSIDE METROPOLITAN GREEN BELT

PARISH: FOULNESS

WARD: FOULNESS & GT WAKERING

#### PLANNING APPLICATION DETAILS

- 8.1 This application proposes to convert a former school into a conservation centre for Foulness Island. It is proposed that the new centre will be utilised by the Foulness Conservation and Archaeological Society to store and display items of conservation and archaeology to members of the public.

#### RELEVANT PLANNING HISTORY

- 8.2 There has been a previous grant of consent on the school site under application number GB/0379/96/ROC. This was for the conversion of the school into two dwellings. This permission is now nearing its expiry period (5<sup>th</sup> September 2001).

#### CONSULTATIONS AND REPRESENTATIONS

- 8.3 **Local Plans** advise that the site lies within an area beyond the Green Belt. The application proposes the change of use of a rural building and hence, Policy GB5 is pertinent to the consideration of the proposal. However, you will be aware that this policy is now rather out-of-step with national planning guidance and more weight should thus be placed upon the guidance of PPG7 – notably the five criteria listed in paragraph 3.14. Based on the submitted information, it would appear that the proposal complies with these criteria, and no objection is raised.
- 8.4 **Essex County Council (Highways)** advise that this application is de-minimis in highway terms.
- 8.5 **Essex County Council (Historic Buildings & Conservation Advice)** comments that the proposal would have no detrimental impact on the character or appearance of the conservation area. The demolition of the oil storage tank building and the carport would probably even enhance the setting of the building. No objections are raised and permission is recommended to be granted.

**MATERIAL PLANNING CONSIDERATIONS**

- 8.6 The site in question is located outside the designated Metropolitan Green Belt, within a recognised rural area; the nearest buildings are St Mary's Church and the Rectory at the centre of the village. The school's location is exposed to open vistas from the surrounding area; therefore any development must be sympathetic to the building and location.
- 8.7 The proposal includes demolition of an oil storage tank building located to the East elevation of the building, this aspect of development will remove an unsightly element thereby exposing a large feature window to the end wall that is presently partially obscured. No further external alterations are proposed to the building.
- 8.8 **Local Plan Policy GB5** covers the change of use of buildings in rural areas, the proposed development is in accordance in many aspects of GB5 with the proposal being respectful of the surrounding location and the existing building. **Planning Policy Guidance 7 (PPG7)** sets out 5 key criteria for the development/re-use of buildings in rural areas, these are set out as follows;
- They are of a permanent and substantial construction;
  - Conversion does not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
  - Their form, bulk and general design are in keeping with their surroundings; and
  - Imposing reasonable conditions on a planning permission overcomes any legitimate planning objections ( for example on environmental or traffic grounds) which would otherwise outweigh the advantages of re-use; and
  - If the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction.
- 8.9 The proposed conversion is in accordance with the main points of PPG7, representing an appropriate and sympathetic re-use of the existing building.

**CONCLUSION**

- 8.10 The proposed development is a desirable use for a now surplus building, the external alterations generating a small improvement in the visual appearance of the building by removing an undesirable element, whilst the proposed use is sympathetic to the location providing a service for residents and visitors to the Island.

**RECOMMENDATION**

- 8.11 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following condition:
- 1 SC4 Time Limits Full – standard



**Relevant Development Plan Policies and Proposals:**

GB5, LT9 of the Rochford District Local Plan First Review

CS3, C5, LRT4 of the Adopted Essex and Southend on Sea Replacement Structure Plan.



Shaun Sprutten  
Head of Planning Services

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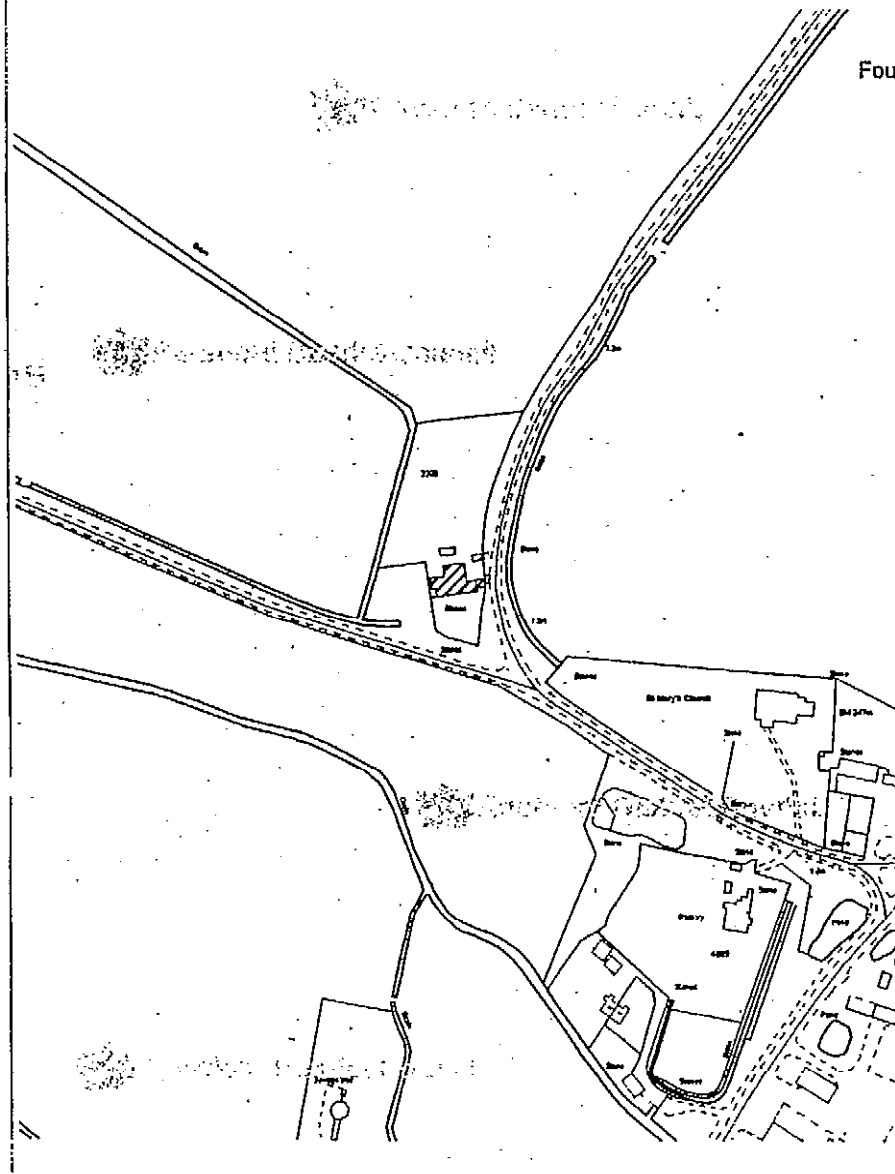
The local Ward Member for the above application is Cllr R A Pearson

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



01/00529/GD

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649

TITLE : 01/00562/CM  
ERECTION OF SCHOOL HALL AND CONVERSION OF  
EXISTING HALL INTO 2 (NO.) CLASSROOMS  
RAYLEIGH COUNTY JUNIOR & INFANT SCHOOL LOVE  
LANE RAYLEIGH

APPLICANT : ESSEX COUNTY COUNCIL

ZONING : SCHOOL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

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#### PLANNING APPLICATION DETAILS

- 9.1 This application is for the erection of a school hall and conversion of the existing hall into 2 classrooms. The school is sited with its main entrance to Love Lane, the site extends behind the High Street towards Crown Hill.

#### RELEVANT PLANNING HISTORY

- 9.2 The planning history on this site includes the siting and renewal of permissions for relocateable classrooms; there have been no recent relevant applications for development.

#### CONSULTATIONS AND REPRESENTATIONS

- 9.3 Rayleigh Town Council has no objection to this application.
- 9.4 Housing, Health & Community Care has no adverse comments in respect of this application subject to conditions being attached to any grant of permission.
- 9.5 Rayleigh Civic Society have no comment to make about this application except to record that we would like to see a drawing showing the elevation of the new school hall showing high level windows.
- 9.6 Environment Agency have advisory comments for the attention of the applicant.

#### MATERIAL PLANNING CONSIDERATIONS.

- 9.7 This application concerns the construction of a new hall, with the conversion of the existing hall into classrooms. The new building is proposed to utilise sympathetic materials with matching window styles to the existing older buildings.

**PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001    Item 9**

- 9.8 When considering the impact this development will have on the surrounding location, it is vital to look at the site levels. Overall there is a significant fall away from the properties on the High Street and towards the open area of the site. This is in part the natural gradient though it is 'controlled' by the built form of the location, whilst the proposed development is to be 'set in' to the ground, maintaining a low slab level to reduce any possible impact further.
- 9.9 There will be no impact from development on Love Lane; due to the slope of the site, development will be barely visible. To the rear of the High Street, there is little by way of residential impact, with many larger buildings such as the Library and Milk Depot taking much of the impact away. When viewed from the North, Rookery Close, the building will again be obscured due to existing school development on site. Overall the proposed location forms no significant impact on the amenity of the surrounding area.

**CONCLUSION**

- 9.10 The building proposed within this application has been sited in a manner to reduce its impact as far as possible on the surrounding location; this is an acceptable development, creating further capacity for the school with no loss to the surrounding location.

**RECOMMENDATION**

- 9.11 It is proposed that this Committee **RESOLVES** that the county be informed that this council has **NO OBJECTIONS** subject to the following condition:

- 1 SC15 Materials To Match Existing

**Relevant Development Plan Policies and Proposals:**

CS2, BE1 & TCR3, of the Essex and Southend on Sea Replacement Structure Plan

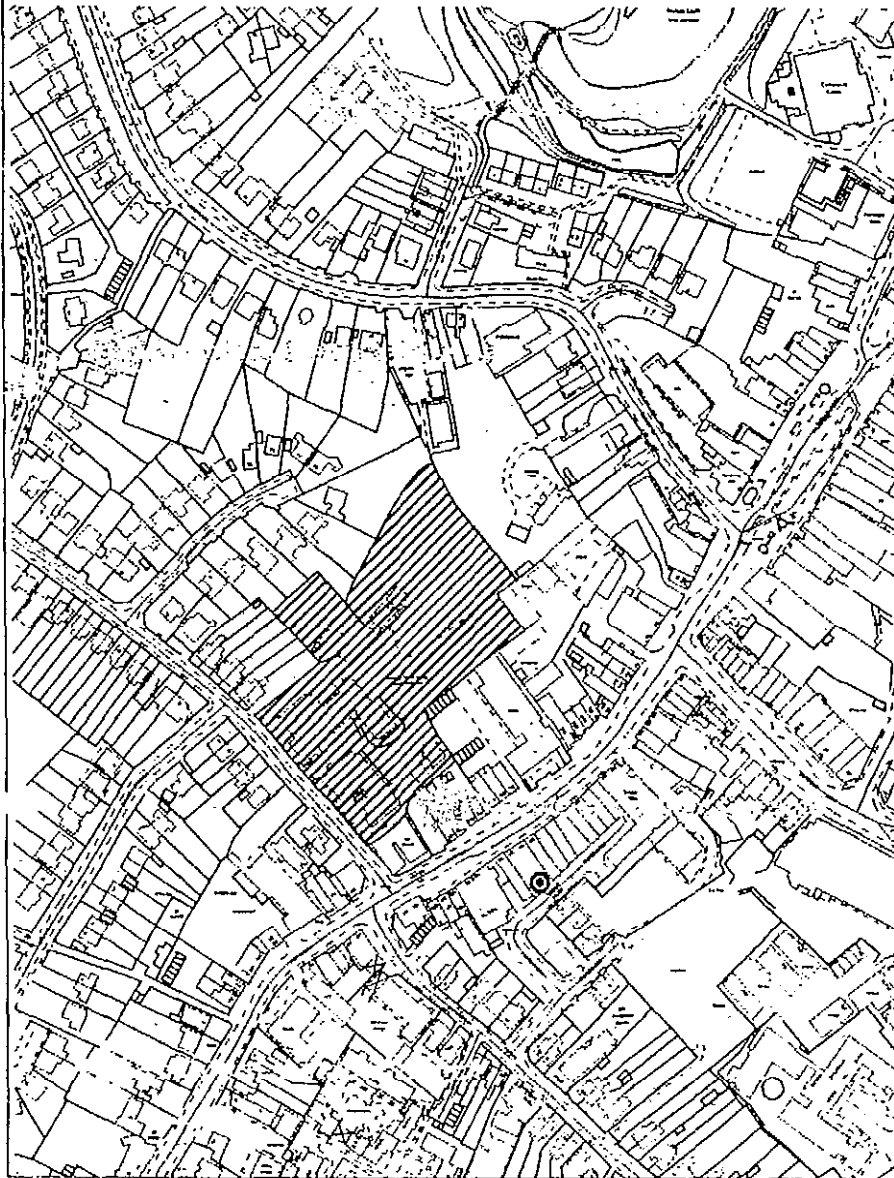


Shaun Scrutton  
Head of Planning Services

The local Ward Members for the above application are Cllr C C Langlands.  
Cllr Mrs M J Webster.

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

01/00582/CM



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RA

TITLE :                    01/00514/FUL  
                              ERECT 2-BED DETACHED BUNGALOW WITH BASEMENT  
                              AS AGRICULTURAL MANAGERS DWELLING  
                              CHERRY ORCHARD NURSERY, CHERRY ORCHARD LANE,  
                              ROCHFORD

APPLICANT :            MR P WOODS

ZONING :                METROPOLITAN GREEN BELT, ROACH VALLEY NATURE  
                              CONSERVATION ZONE, SPECIAL LANDSCAPE AREA

PARISH:                ROCHFORD PARISH COUNCIL AREA

WARD:                  ROCHFORD ST ANDREW

SITE AREA:            0.074ha

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#### PLANNING APPLICATION DETAILS

- 10.1 This application proposes the construction of a dwelling for the manager of the operation at Cherry Orchard Nursery. Members will recall the recent outline application for a similar form of development. This application is in full form, and therefore not a reserved matters application which flows from the earlier application, which was approved. Being a fresh application the question of the principle of the use needs to be considered afresh.
- 10.2 For this latest application the dwelling would have an external area of 136.5sqm (approx) excluding the external stairway that leads down to a basement. The basement, which extends under the full area of the ground floor, is proposed to be for recreational purposes only and, in addition to the external stairway, is accessed also from an internal stairway.
- 10.3 Externally, the dwelling would have a height to the eaves of 2.9m approx and to the roof of 7.5m approx (Note that the height of the proposed property, as shown on the various elevation drawings is not consistent. The above height is the greatest measured). The dwelling is to be located to the south of the nursery operation at Cherry Orchard Nursery.

#### RELEVANT PLANNING HISTORY

- 10.4 Two outline applications for residential development were refused in 1981 and 1979. These appear to have been for speculative open market housing and not related to the specialised need being claimed here.
- 10.5 An application for the construction of a greenhouse was permitted in 1970.

- 10.6 The recent outline application for the erection of an agricultural managers dwelling (00/00540/OUT) was permitted 22 March 2001.

**CONSULTATIONS AND REPRESENTATIONS**

- 10.7 The County Surveyor advises that the proposals are de-minimis in highway terms.
- 10.8 The County Minerals Planning Officer has no observations.
- 10.9 The Environment Agency has no objections and has provided advice in relation to means of foul and surface water disposal and other consents which may be required.
- 10.10 Anglian Water has no objections.
- 10.11 The Head of Housing, Health and Community Care has no objections.
- 10.12 Rochford Parish Council objects to the proposals
- 10.13 The Rochford Hundred Amenity Society has no objections.

**MATERIAL PLANNING CONSIDERATIONS**

**Functional and Financial Tests**

- 10.14 Members may recall the test to be applied when a dwelling is proposed in relation to an agricultural operation. These were set out in full in the earlier committee reports in relation to the development of a dwelling on this site. They are established in PPG7, The Countryside and Environmental Quality etc, and are replicated and expanded upon in Local Plan policy GB3.
- 10.15 The development proposals need to be submitted to a functional and financial test. The functional test is that the proper functioning of the establishment requires a worker to be present or readily available. When dealing with the previous application the applicant submitted an Agricultural Assessment which dealt with the merits of the proposal in relation to these tests.
- 10.16 Members may recall that the development site is part of a larger operation which is located both here and at Folly lane, Hockley. The point was made, in the report, that control systems that are in place to moderate the climate for growing plants, at the Cherry Orchard location need both constant attention and manual control. It was also pointed out that a presence on site has reduced incidents of criminal damage. On the basis of those matters it was agreed there is a functional need for a presence at this site.
- 10.17 The applicant has submitted the same assessment report in relation to this current application and points out that circumstances are unchanged. Given the short period of time this is highly likely to be the case and it is considered that the functional need for a dwelling at the site is still an adequately established matter.

- 10.18 The financial test relates to the economic viability of the agricultural operation. This is used to provide evidence of the size of a dwelling that a unit can sustain. The guidance in PPG7 is that dwellings that are unusually expensive to construct, in relation to the income that the unit can sustain in the long term, should not normally be permitted. It is the requirements of the enterprise that are relevant to determining the size of the dwelling.
- 10.19 To assess this test the applicant is required to supply detailed financial information. Due to the sensitive nature of this information the detailed analysis of the figures is incorporated as a confidential annex to this report. The following is a summary of the conclusions reached on the basis of that information.
- 10.20 It is considered that the cost of construction of the dwelling in this case, is expensive in relation to the financial income generated by the agricultural unit. This is particularly so as a very robust assessment has been made of the financial information assigning many of the significant costs to the Folly Lane site. It is considered that, in this case, the financial test is not met.

**Impact on the Green Belt**

- 10.21 As indicated, the dwelling proposed is to have a maximum height of 7.5m. Illustrative details submitted with the outline application envisaged a dwelling of some 7m height. The location of the dwelling is, of course, in the Green Belt. It is considered that the height of the dwelling is such that it will be prominent in view of the site from the Cherry Orchard Way/Hall Road area. It is considered that revised proposals, with a much lower roof pitch, could be devised to overcome this problem.
- 10.22 The dwelling is to have a basement which is shown, without windows, to be used for recreational purposes. Notwithstanding this, Building Control Regulations would require the implementation of windows to this area to allow passive ventilation. These could be provided in light wells created around the basement. Given this, it is considered that the basement area effectively constitutes habitable floorspace. The floorspace created therefore is in the order of 270m<sup>2</sup>, more than is reasonably necessary for the functional needs of the holding. The implication, in Green Belt terms, is that greater occupancy of the dwelling could take place, either now or in the longer term, than is reasonably necessary for the operation of the agricultural unit and to the detriment of the character of the Green Belt.

**CONCLUSION**

- 10.23 This application constitutes a dwelling similar to that previously proposed, but with the addition of a basement. Having considered the financial figures for the operation of the agricultural unit, it is considered that the costs of construction of the dwelling are excessive in relation to the income available. The proposals fail the financial test.
- 10.24 The height of the proposed dwelling is such that it has an unnecessary and intrinsic impact on the character of the area and the Green Belt.



RECOMMENDATION


10.25 It is proposed that this Committee **RESOLVES** that this application be **REFUSED** for the following reasons:

- 1 The dwelling is proposed as an Agricultural Manager's dwelling. The Local Planning Authority is of the view, having considered the financial information in relation to the agricultural unit on which the dwelling is proposed, that the costs of construction of the proposed dwelling are excessive in relation to the income of the unit. It is not one which can be sustained by the agricultural unit and the proposals therefore fail the financial test as set out in PPG7. To permit development with such failings would be contrary to the advice in PPG2 (Green Belts), PPG7 (The Countryside, etc.) and harmful to the continued protection of the character and appearance of those areas.
- 2 The implementation of a below ground area to the dwelling will result in floorspace which, in the view of the Local Planning Authority is in excess of what is required to meet the functional needs of the agricultural unit. Such additional floorspace is likely to result in a greater occupation of the dwelling than functional needs require, introducing more activity than is necessary into the Metropolitan Green Belt. Such an impact is contrary to the national, strategic and local policy objectives of restricting development in the Green Belt.
- 3 The Local Planning Authority is of the view that the height of the dwelling proposed is unnecessarily excessive, given its single storey nature. The excessive height would serve to ensure that the proposed dwelling would be significantly visible in views of the site from the area surrounding it. It will, as a result, have a significant and detrimental impact on the currently undeveloped appearance of the countryside and Green Belt and special landscape of the area in which it is located.

**Relevant Development Plan Policies and Proposals:**

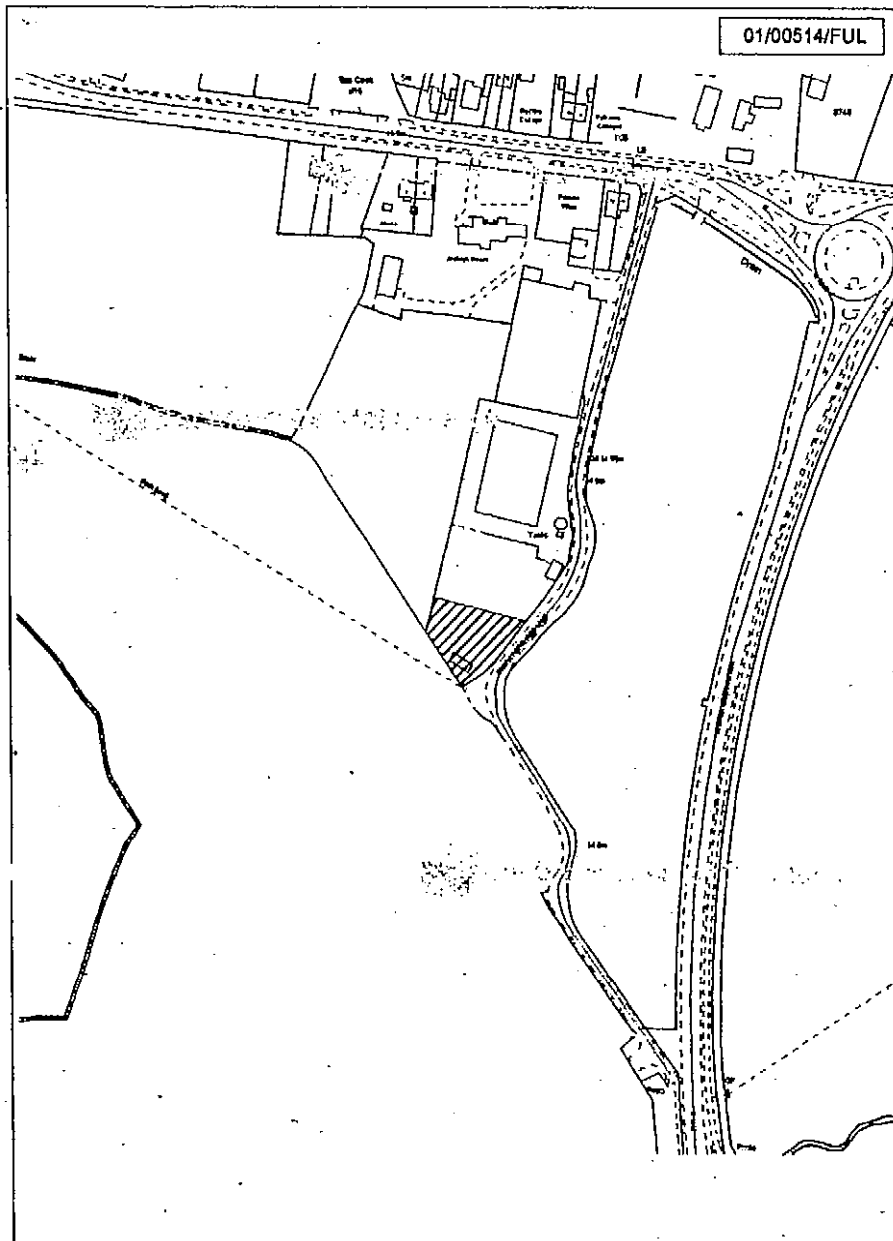
H11, GB1, GB3, RC7 of the Rochford District Local Plan First Review

CS2, C2 of the Essex and Southend on Sea Replacement Structure Plan

  
Shaun Scrutton  
Head of Planning Services

The local Ward Members for the above application are Cllr R A Amner. Cllr D A Weir.

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



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*RE*

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TITLE : 01/00586/COU  
CHANGE OF USE FROM GENERAL INDUSTRIAL USE  
(CLASS B2) TO WAREHOUSE AND DISTRIBUTION (CLASS  
B8)  
1 FLEET HALL ROAD, ROCHFORD

APPLICANT : W J WOOD & SONS

ZONING : EXISTING INDUSTRIAL

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD EASTWOOD

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#### PLANNING APPLICATION DETAILS

- 11.1 This matter is being reported to the committee by virtue of the Councils 'fast track' procedure for employment generating proposals. If the application were to be implemented, it would have the capacity to create in the order of 24 jobs within the existing building, which stands vacant.
- 11.2 A supporting letter and conversations with the applicants agent have confirmed that the current application has arisen due to an aborted deal with the vendor of the Eldon Way site, therefore the same applicant seeks a change of use for a unit at Fleet Hall Way to site an identical operation.
- 11.3 The application is at a critical stage with consultations still outstanding at the time of writing. It is brought before members with regard to a recent grant of permission for an identical use and applicant at a similar site.

#### RELEVANT PLANNING HISTORY

- 11.4 Previous application number 01/00345/COU was for an identical change of use to a unit at 7-12 Eldon Way, Hockley. Following a fast track report to committee, which highlighted issues for consideration, a members site visit was conducted primarily to establish the highway issues relating to development. Approval was given at the June Committee meeting.

#### CONSULTATIONS AND REPRESENTATIONS

- 11.5 Thorough consultation has taken place on this application with the inclusion of members' views on the previous Eldon Way site. No responses have been received to this application so far.

**MATERIAL PLANNING CONSIDERATIONS**

- 11.6 The proposal would bring approximately 24 jobs into the Rochford District as the applicant is relocating from existing premises in Southend. The proposed use is for a tyre distribution business. Correspondence under application number 01/00345/COU found that the operation will consist of new tyres being delivered in bulk, with distribution of smaller loads to the surrounding area. There will be minimal amount of second hand/used tyres associated with this use. The agent advises that the working of the business is unchanged from the previous application. The operation involving delivery from large lorries, some articulated, with outgoing dispatches via smaller lorries and vans.
- 11.7 Following Local Plan Policy EB2, within allocated industrial areas, applications for development within Classes B1, B2 & B8 will normally be permitted. This site is of such designation and the resultant works if an approval is given will have no significant detrimental impact on the amenity of the industrial estate.
- 11.8 The applicant has advised that no external alterations are required to the building, whilst occupation will mean the cosmetic appearance of the building is maintained to the benefit of the other estate residents.

**CONCLUSION**

- 11.9 The proposed change of use constitutes a form of development, which is appropriate for the Industrial Estate location providing a regeneration of a unit and the provision of 24 job opportunities. Favourable consideration should be given to the proposal pending receipt of full consultations.

**RECOMMENDATION**

- 11.10 It is proposed that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to approve this application after the expiry of the consultation period to include the following heads of condition:
- 1 SC4 Time Limits Full – standard
  - 2 SC28 Use Class Restriction
  - 3 SC36B External Storage – Limit (Unspecified)

**Relevant Development Plan Policies and Proposals:**

EB1, EB2 of the Rochford District Local Plan First Review

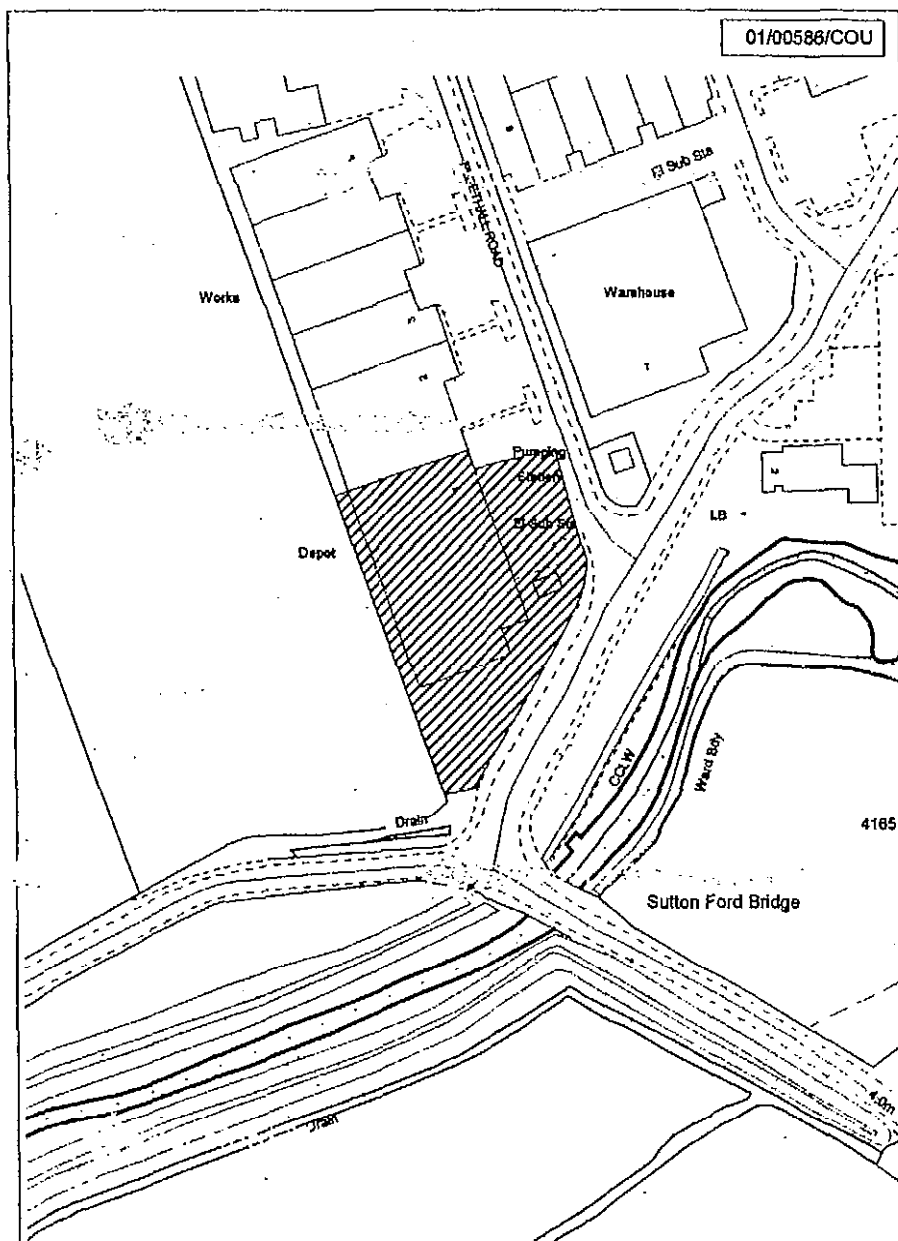
CS1, BIW4 of the Essex and Southend-on-Sea Replacement Structure Plan.

  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member for the above application is Cllr Mrs E J Ford

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



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*RPV*

TITLE : 01/00128/FUL  
FORMATION AND LAYOUT OF A NOVICE 4 X 4 TRACK (TO  
BE USED ON NO MORE THAN 14 DAYS PER ANNUM)  
LAND CREEKSEA FERRY ROAD, CANEWDON

APPLICANT : ROCHFORD AND DISTRICT 4 X 4 CLUB

ZONING : METROPOLITAN GREEN BELT, LANDSCAPE  
IMPROVEMENT AREA

PARISH: CANEWDON PARISH COUNCIL

WARD: CANEWDON

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**PLANNING APPLICATION DETAILS**

- 12.1 This application seeks permission for engineering works to move soil and import clay to create a 4x4 track for novices.
- 12.2 The wider site currently operates as a 4x4 track. Permitted development allows for up to 14 days use in any one year where engineering works and development have not been undertaken.
- 12.3 The applicant's description of the proposal does not refer to extending the use of the site beyond the permitted 14 days per annum.

**RELEVANT PLANNING HISTORY**

- 12.4 None applicable.

**CONSULTATIONS AND REPRESENTATIONS**

- 12.5 **Canewdon Parish Council** – Objection. Concern is expressed that permission will result in further noise and disturbance, with extra cars and trailers coming to the site and more mud deposited on the road - as has been the case at similar sites in other parts of the country. Members are concerned that the contouring and mounding of earth would detrimentally affect the appearance of the area and impact on the openness of the Green Belt, albeit it that the height above or depth below ground level will not exceed 1.5 metres.
- 12.6 **Housing, Health and Community Care** – no adverse comments to make except for appropriate conditions to be attached to any permission.
- 12.7 **County Planner (archaeology)** – the site lies in the bottom of a former gravel pit and any archaeological remains would have been destroyed previously.
- 2.8 **County Surveyor (Highways)** – no objection.

- 12.9 **County Planner (Development Control)** – no objection.
- 12.10 **Woodlands and Environmental Specialist** – the area is partly covered by a tree preservation order. A condition should be attached requesting a further application for any works to trees. The proposal is unlikely to affect protected species.
- 12.11 **Environment Agency** – no comment.
- 12.12 **Neighbour Notification** – there have been two letters of objection. In the main these concern:
- Problem from the existing meetings with the noise from vehicles being revved and people shouting.
  - There are protected species on the site.
  - The existing use is intrusive.
  - Cars come and go on and off the site all day.
  - In the past trees have been removed as a result of the existing use.

#### MATERIAL PLANNING CONSIDERATIONS

- 12.13 The way in which the site is to be used is not a material consideration with this particular case while the use does not exceed 14 days per annum already permitted by the General Permitted Development Order 1995. Relevant issues involve consideration of the effect of the minor engineering works proposed for the site. This involves the moving of soil within the site and importation of clay to help create the novice layout. The site is partly covered by a tree preservation order and concern was raised that protected species could be affected by the proposal.
- 12.14 The applicant highlights (red line) a much wider area of land, which does not form part of the development area. The area on which the proposed novice layout is planned is sited towards the centre of the site. Alongside the southern part of the site adjoins an area of extensive tree cover. The vast majority of the site is laid to rough grass with some 1 metre high undergrowth forming the southern edge of the development site.
- 12.15 **Tree Preservation Order**  
There is a tree preservation order covering the site as a whole, although the majority of the site on which the development will take place is mainly open ground. The proposal would not have a detrimental impact on the trees on site although one or two trees do stand on part of the site. The Woodlands officer has requested a condition to the effect that should the layout include the area which is covered by the Tree Preservation Order any works to these trees shall require a further written consent.
- 12.16 **Current and Proposed Use**  
The existing use is permitted development where this does not exceed 14 days per annum. This has caused neighbours some inconvenience due to the crowds drawn to the site and the associated noise generated by vehicles and people. The proposal is an additional facility. However, the use remains permitted development provided the event days do not exceed 14 days. Consideration of use and the affect on neighbours cannot therefore be considered in this instance because the application does not seek a change of use, to allow the site to be used more than 14 days per annum.



- 12.17 The reason for planning permission in this case is that the applicant proposes relatively minor engineering works.

12.18 **Protected Species**

A neighbour's letter has drawn attention to the presence of protected species close to their property. This activity is outside of the development site at the southern end of the site outlined in red. The Council's Environmental Specialist confirms this to be the case, although he states that there are signs that some animals use the whole of the site for foraging, notwithstanding the presence of 4 x 4 activity on the site. His advice also drew attention to possible Crested Newt habitat, however, the type of proposed development and the disturbance of the land, etc. could be beneficial to them.

12.19 **Policy**

The area lies within the Metropolitan Green Belt and as such GB1 is applicable. This allows small-scale recreation activity. The area is also part of a Landscape Improvement Area.

**CONCLUSION**

- 12.20 The existing 4 x 4 use does cause inconvenience for adjoining neighbours. However, this use falls within permitted development, as will the use of the novice layout.
- 12.21 Focusing on the engineering works, it is apparent that the trees on site will not be affected and it is concluded that the openness of the green belt will not be undermined.

**RECOMMENDATION**

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

- 1 SC4 Time Limit Full - Standard
- 2 SC36A Hours of Use Restricted:  
The use hereby permitted shall not take place outside the hours of 9.00 to 1800 Monday to Saturday, 10.00 to 16.00 on Sundays.
- 3 There shall be no burning of waste materials on any part of the site containing the development hereby permitted.
- 4 SC43 Amplification Prohibited
- 5 Permission is given for engineering works only and does not allow the site to be used in excess of 14 days per annum - allowed under the general requirement of change of use planning permission.
- 6 Notwithstanding this permission, no consent is given for the removal or lopping, or works to any Preserved trees on site without the prior consent of the Local Planning Authority.
- 7 The submitted planning application drew a red line around a much larger area than the actual application was for. The permission therefore, refers to the development site located towards the centre of the actual site and does not cover the whole of the area within the red outline.

ASU

**Relevant Development Plan Policies and Proposals:**

GB1, RC8 of the Rochford District Local Plan First Review

C2, CS2, NR7, LRT3 of the Essex and Southend-on-Sea Replacement Structure Plan

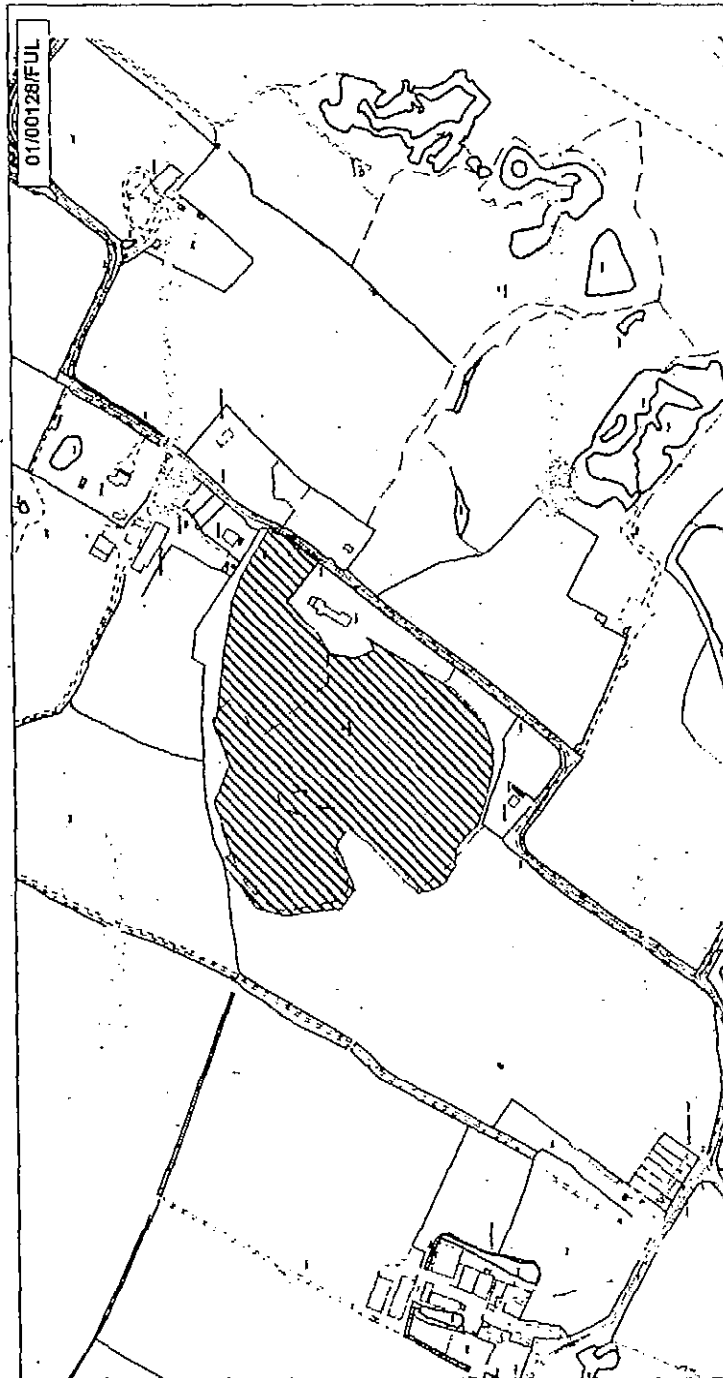
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member for the above application is Cllr A Hosking

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

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TITLE : 01/00540/FUL  
VARIATION OF CONDITION 4 ATTACHED TO PERMISSION  
CU/0040/94 TO ALLOW OPERATION OF A HOME DELIVERY  
SERVICE (RENEWAL OF 00/00385/FUL)  
8 EAST STREET ROCHFORD

APPLICANT : MOHAMMED ASHIK

ZONING : RESIDENTIAL/CONSERVATION AREA

PARISH: ROCHFORD

WARD: ROCHFORD ROCHE

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**PLANNING APPLICATION DETAILS**

- 13.1 This application proposes the renewal to vary a condition that prevents the sale of food/ or drink for consumption off the premises so that a home delivery service may be operated, with a restriction remaining preventing 'walk in/out' takeaway sales.

**RELEVANT PLANNING HISTORY**

- 13.2 CU/0040/94 Approved. Change of Use for the ground floor of the premises to a restaurant, retaining living accommodation above. Condition 4 stipulates that *'No part of the site shall be used for 'takeaway' services, that is, the sale of food and/ or drink for consumption off the premises'*.
- 13.3 F/0208/96/ROC Refused. Removal of Condition 4. It was considered that the proposal would, if approved, increase short term parking along east Street to the detriment of highway safety, together with an increase in noise and general disturbance to residents to the detriment of the character and amenity of the area as a whole. This decision was upheld by the Inspectorate in dismissing a subsequent appeal.
- 13.4 00/00385/FUL Approved. Variation of Condition 4 to allow operation of Home Delivery Service. A temporary permission of one year was granted.

**CONSULTATIONS AND REPRESENTATIONS**

- 13.5 Rochford Parish Council - objection due to car parking space. There are currently problems in Quys Lane with delivery vehicles blocking the road and preventing pedestrians getting passed.
- 13.6 County Surveyor (Highways) - no objection
- 13.7 County Planner (Archaeology) - No ground-works involved, therefore no recommendation.

- 13.8 County Planner (Historic Conservation) - No physical alteration involved, no observations.
- 13.9 Neighbour Notification - One letter which refers to traffic disturbance from various activities in East Street.

**MATERIAL PLANNING CONSIDERATIONS**

- 13.10 The current home delivery service has had one year in which to operate and during this time there would appear not to have been any particular problems associated with the service.
- 13.11 A neighbour's letter raises concern about traffic issues in East Street, but these would appear to relate to general traffic concerns e.g. buses stopping outside their home and cars parked up on Fridays and Saturdays. By its nature a home delivery service limits the number of vehicles involved and comings and goings from the premises and as such mitigates the concern regarding traffic issues.
- 13.12 Enforcement Officers have received complaints that allege that the premises have operated a 'takeaway' service. Obviously such a service raises broader concerns concerning highway issues. This application does not involve a 'takeaway' service.
- 13.13 The site is located within the Rochford Conservation Area and whereas there are no specific policies within the Local Plan that relates specifically to the proposal, it is considered that the proposal does not conflict with the objectives of the Town Centre and Conservation Area.
- 13.14 There is parking provision for approximately five vehicles within a yard to the rear with access gained via Quys Lane to East Street and the previous temporary consent required one these car parking spaces to be retained available for the home delivery service.
- 13.15 It is considered that the proposed use will not affect parking levels along Quys Lane and that the use will not be to the detriment of highway safety. Sufficient access may be gained along the Lane and an established access already exists that has no restrictions on use from this site to East Street.

**CONCLUSION**

- 13.16 The applicant proposes the continuation of the home delivery service from this site. A clear distinction is drawn between this service and that of a 'take-away' service. The reasons given for the original condition was on the grounds of highway safety and residential amenity, however, this application seeks to vary the condition, not remove it entirely.
- 13.17 Having had a temporary permission for one year and there not being any detrimental affect as a result of that permission it is considered appropriate at this stage to recommend an unlimited time period for the continuation of the home delivery service.

- 13.18 The application of a delivery service is unlikely to effect highway safety or be to the detriment of residential amenity

**RECOMMENDATION**

- 13.19 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following conditions:

- 1 The use hereby permitted shall not be open to customers, nor shall the home delivery service operate outside the hours of 0800 to 23.30 hours Monday to Saturday and 0800 to 2300 hours Sunday.
- 2 The premises shall not be used for the sale of hot food for consumption off the premises, other than the delivery of food by a vehicle operating from the site.
- 3 Space shall be provided within the curtilage of the site for the parking of at least one car or van to be used for the delivery of hot food. Thereafter, such area shall be retained and maintained in the approved form and used for no other purpose which would impede the parking of the car or van.

**Relevant Development Plan Policies and Proposals:**

None.

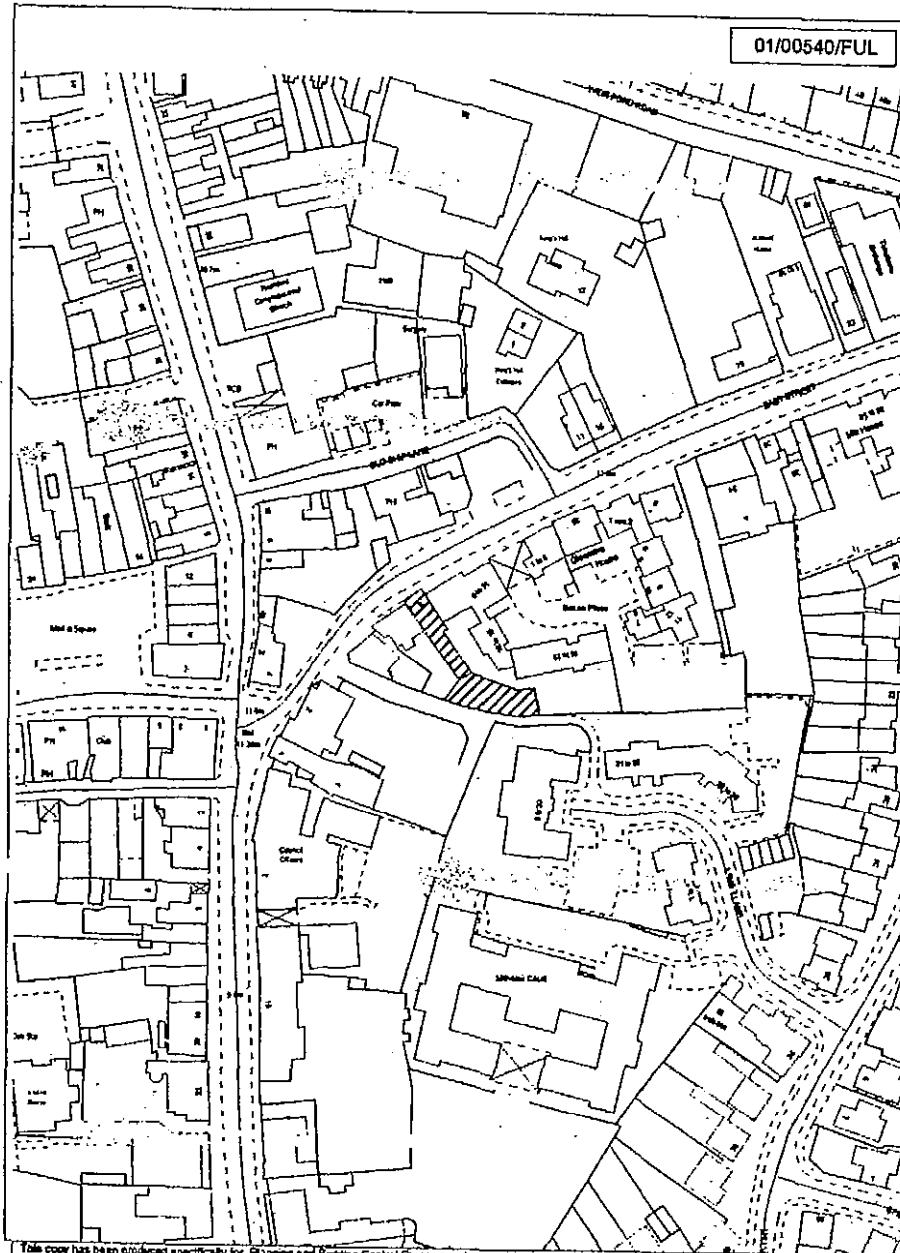
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application is/are Ward vacancy

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

01/00540/FUL



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1:1250



*R.P.*

**PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001    Item R14**  
**Referred Item**

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**TITLE :**                    **01/00481/FUL**  
**ALTERATIONS TO ROOF INCLUDING RAISING RIDGE, TWO**  
**STOREY REAR SIDE EXTENSION AND GARAGE**  
**EXTENSION**  
**48 CLIFTON ROAD ROCHFORD**

**WARD:**                    **HAWKWELL EAST**

The Chairman to decide whether to admit the following item on grounds of urgency.

This application was included in Weekly List 588 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 28<sup>th</sup> August 2001, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr Mrs H L A Glynn.

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

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**Hawkwell Parish Council – objection. Over-development and out of keeping with streetscene.**

**NOTES**

The proposal seeks permission for relatively substantial alterations to this property.

Clifton Road has a mix of dwelling types and styles with predominantly 2 storey properties. The applicant's site extends to twice the width of many plots in the road. As a result the proposed alterations to enlarge the dwelling are considered acceptable given the scale of the site and the range of styles located within the road. The proposed alterations to the front of the building contribute positively to the streetscene.

In terms of the neighbouring properties the proposal does not include any element that would be detrimental in terms of loss of privacy, over-looking or loss of light. The car parking arrangements on site conforms to policy.

**County Surveyor (Highways) - De-minimis**

**APPROVE**


- 1 SC4Time Limits Full - Standard
- 2 SC14Materials to be Used (Externally)





**Relevant Development Plan Policies and Proposals:**

H11 of the Rochford District Local Plan First Review

  
Shaun Scruton  
Head of Planning Services

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The local Ward Members for the above application are Cllr Mrs H L A Glynn  
Cllr V H Leach Cllr M G B Starke

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

01/00481/FUL



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1:1250



Chairman

date 29th Sept 01

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TITLE: 01/00256/OUT  
OUTLINE APPLICATION FOR THE ERECTION OF A BLOCK  
OF 10 FLATS  
72-74 THE APPROACH RAYLEIGH

APPLICANT: M D GATRELL

ZONING: RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: GRANGE AND RAWRETH

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#### PLANNING APPLICATION DETAILS

- 5.1 This outline application relates to the erection of a two-storey block of ten flats. Although in outline the application seeks approval for the siting, design and means of access at this stage and plans showing the proposed development have been submitted for consideration. The landscaping and the means of access are to be considered at a later date if outline consent is granted.
- 5.2 The site is currently occupied by a pair of semi-detached houses with garages and is located on the corner of Lansdowne Drive and The Approach, just to the north of the railway line and the car park for the station that runs alongside it.
- 5.3 The site measures approximately 33.5m x 42.5m and the existing pair of semi's have a footprint of around 16.5m x 12.5m. The proposed flats will have a footprint of around 29m x 10m., with a ridge height of 9.5m.
- 5.4 Since the submission of the application the drawings have been revised and the proposal has been reduced slightly in scale and moved further east. Re-consultation has taken place, although at the time of writing the consultation period has not lapsed. Any further comments received will be either put on the addendum or reported verbally.

#### CONSULTATIONS AND REPRESENTATIONS

- 5.5 **Parish Council**  
The Town Council objects to the application as it is considered to be an over-development of the site and visually intrusive.
- 5.6 **Anglian Water**  
Has no objection in principle, but suggests that Conditions relating to the submission of details in respect of the foul and surface water drainage be attached to any Permission. Surface water will not in any circumstances be permitted to discharge into the public foul sewer.

**5.7 Rayleigh Civic Society.**

Consider the development visual intrusive being out of character with the mainly semi detached properties in the area particularly with the car parking to the front of the building and its untidy appearance with various sized windows and balconies on the front elevation. The proposal will also affect the outlook of the properties on Swallow Close and the proposal would overlook the dwellings to the rear.

**5.8 County Highways**

Recommends a number of Standard Conditions relating to the provision of visibility splays, parking provision and the use of permanent materials for the parking areas.

**5.9 Adjacent Residents**

A total of 20 letters of objection have been received, plus 3 letters from local resident associations object to the proposal. An additional 2 petitions have been received, one with 21 signatures and the other with 114 signatures on them. The main concerns relate to the size of the building, which is considered excessive and is out of character with the area. This will result in a loss of privacy and loss of outlook for the properties surrounding the site, as well as impacting on the street scene. Other concerns relate to the development on existing services, including roads, drains, Schools, Doctors, etc; insufficient parking provided; conflict with the emergency access to Swallow Close from cars using the site; de-valuation of property; noise from the proposed parking areas; security concerns; proximity of the proposal to telecommunication mast; and the need to adopt The Approach.

**MATERIAL PLANNING CONSIDERATIONS**

**5.10** The material considerations in respect of this application are primarily the Policies in the Local Plan, namely: Policy H2 (Density should reflect character of the area and make the most efficient use of land); H11 (Design and Layout); H16 (Purpose built flats); H19 (small sites) and H24 (Safeguarding amenity of area). In addition, the revised PPG3 on Housing is also relevant to the consideration of this application.

**5.11** The revised scheme shows a two storey block of flats which will provide 10 one bedroom flats. PPG3 considers that it is important for authorities to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours. It also advises that authorities should ensure that new housing development help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics. Bearing in mind that the majority of projected growth will be in one person households, authorities are advised to adopt policies which take full account of these changes and which will widen the range of housing opportunities to allow those changes to be met. PPG3 also promotes more sustainable residential environments and suggests, amongst other things, that new housing developments are located close to transport routes and that they are accessible by a range of non car modes and that authorities should encourage the efficient use of land, particularly where there are good public transport links. Further, it encourages authorities to reject poor design.

**5.12** It is considered that, bearing in mind the requirements of PPG3, the general principle of having a block of single bedroom flats, location close the Station is acceptable.

- 5.13 As mentioned above, the proposal has been amended since the application was first submitted. Primarily, this was as a result of the plans being inaccurate as they included some of the garden area of an adjoining property, but also because of concerns raised by Officers about the impact of the proposal on neighbouring properties, particularly in respect of the accommodation on the second floor and the bulk and mass of the building.
- 5.14 The bulk and mass of the building remain largely unaltered with ridge height of over 9m (eaves height 5.5m), a depth of around 10m and a width of 29.5m. At its maximum, the roof spans nearly 10m which is twice that suggested in the Essex Design Guide. This results in a rather top heavy design. The span of the existing roofs is typically around 7m.
- 5.15 Whilst the proposed building will remain the same distance from the properties to the North as the existing semi's, it will be located less than 10m from some of the properties in Swallow Close. Although there are no windows on the West elevation the proposal's bulk and mass will tend to dominate the outlook of these properties that back onto the site from Swallow Close. This is despite the modifications that have been made to the proposal, i.e. the provision of a hipped roof and the moving of the development eastwards away from Swallow Close. With the removal of the second floor accommodation from the proposal, there will be no significant loss of privacy, compared to what exists now. However, those properties to the North will suffer loss of outlook and possibly some overshadowing, due to the increase in the bulk and mass of the building. Moving the development East also brings it closer to Lansdowne Drive and it will be only 2m from the back edge of the pavement. The existing properties along Lansdowne Drive are primarily set back by over 7m. Bringing the building that much closer to the highway will increase the impact on the street scene. This is particularly true when viewed from the North along Lansdowne Drive because of the difference in levels and the building's proximity to the road, a large part of the rear elevation will be clearly seen and this will have an adverse impact on the street scene.
- 5.16 The proposed amenity area amounts to approximately 208m<sup>2</sup> which is provided at the rear of the flats and around 11m<sup>2</sup> in the form of balconies at the front of the property. The total is around 217m<sup>2</sup> which is slightly below that required by local policy, which is 25m<sup>2</sup> per flat, giving a minimum figure of 250m<sup>2</sup>.
- 5.17 Car parking is provided directly from The Approach and Lansdowne Drive, with cars being within one metre of living room windows. This would result in a poor degree of internal privacy to these rooms which is contrary to local policy. It is considered that the amount of parking is acceptable, a total of 15 spaces, but having vehicles reversing out of spaces within 10m of a junction is not ideal, especially when there is a block of garages doing the same directly opposite. The parking spaces fronting The Approach area directly opposite the car park for the Station, where this is less of a problem. However, residents have pointed out that this unadopted part of The Approach is on emergency access to Swallow Close.

- 5.18 Although the Highway Authority has not raised any objections, the Conditions requiring a visibility splay would be difficult, bearing in mind the parking spaces cannot be moved further into the site because of the location of the building. Moving the building further into the site is possible, but that would reduce the amount of amenity space and it would increase the impact on the neighbouring properties.
- 5.19 Providing car parking directly to the front and accessing directly onto the highway is not only a highway safety concern; such parking provision also has an impact on the street scene and is contrary to the principles of the Essex Design Guide, which attempts to hide the presence of parked vehicles behind a built up frontage. However, bearing in mind the Station car park and the garage block, such parking would not look out of place in the street scene.
- 5.20 With respect to the other issues raised by the objectors, for example, security or drainage concerns, these could be considered at the Reserved Matters stage, with the provision of adequate fencing in terms of security. The issue of drainage, particularly the problems of surface water drainage, again could be dealt with then, by the use of permeable materials for the parking areas. However, it should be noted that Anglian Water have not raised any objections to the proposal. With respect to concerns about loss of value, this is not a planning matter.

#### CONCLUSIONS

- 5.21 On balance, although the proposal has been altered, it is still considered that the design of the building is too bulky and too large for the site. There is insufficient amenity space proposed; the size of the building would adversely affect neighbouring properties in terms of loss of outlook and light; the proposed parking areas would be poor in terms of the impact on highway safety and in terms of the impact on privacy of the proposed flats and, lastly, the bulk and mass would look out of character with the existing buildings.
- 5.22 Although this is an outline application, Members are asked to consider the details of design, access and siting as detailed in the submitted plans, as these are not reserved for future consideration. For the above reasons, these details are not considered acceptable and they are therefore contrary to the adopted policies of this Council contained in the Local Plan; in particular, Policies H11, H16 and H24. The application is therefore recommended for refusal.

#### RECOMMENDATION

- 5.23 It is proposed that this Committee **RESOLVES** that the application is **REFUSED** for the following reasons: -
- 1 The proposal, by reason of its design, mass and siting will have an adverse impact on the amenities of neighbouring properties, particularly in respect of loss of outlook and overshadowing.

The proposal will result in a cramped form of development, with insufficient amenity space and an undesirable form of parking, which is considered detrimental to highway safety and the privacy of the proposed flats.

The proposal by reason of its design and size is out of character with the area and is detrimental to the street scene.

For the above reasons, the proposal is considered contrary to Policies H11, H16 and H24 of the Rochford District Local Plan.

**Relevant Development Plan Policies and Proposals:**

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

  
Sharon Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application are Cllr P J Morgan. Cllr G A Mockford. Cllr R F R Adams.

For further information please contact Mark Mann on (01702) 546366.

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TITLE : 01/00480/COU  
CHANGE OF USE OF LAND TO FORM ADDITION TO  
EXISTING GOLF COURSE.  
HANOVER GOLF CLUB HULLBRIDGE ROAD, RAYLEIGH

APPLICANT : HANOVER GOLF AND COUNTRY CLUB LTD

ZONING : METROPOLITAN GREEN BELT

PARISH: HULLBRIDGE PARISH COUNCIL

WARD: HULLBRIDGE SOUTH

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#### PLANNING APPLICATION DETAILS

- 6.1 The proposal seeks the extension of the existing golf course to include via a change of use, land north of the brook, which currently forms the northern boundary of the golf course.

#### RELEVANT PLANNING HISTORY

- 6.2 Various planning permissions have been granted for the land within the boundaries of the Hanover Golf Club, to the south of this site.
- 6.3 CU/812/91 - change of use to agricultural recreational farm park and retention of mobile home. This application included land to the east of the current site being considered which included the siting of the caravan - an area excluded from the current application.

#### CONSULTATIONS AND REPRESENTATIONS

- 6.4 **Hullbridge Parish Council** - concern expressed over adequate protection to adjacent properties against stray golf balls and it was requested that a proper ecological study of the area be carried out.
- 6.5 **Local plans** - The application site lies within the Metropolitan green Belt, and also a Landscape Improvement Area. Policies LT7 and RC 8 are applicable to the consideration of this application.
- 6.6 **Neighbour notification letters** - Five responses to the proposal. Concerns raised that there should not be an entrance to the site via Kingway (x2), loss of views (x2), potential water logging of ground resulting from the proposed pond, vegetation alongside the brook which will run across the site needs attention.

**MATERIAL PLANNING CONSIDERATIONS**

**6.7 Ecological Appraisal**

The applicant commissioned an ecological appraisal of the site by Green Environmental Consultants of Swaffham Bulbeck, Cambridge. The report considered the likely presence of species (animals and plants), population size, use of the site by animals, and the possible impacts of the development on these considerations, if any.

**6.8 Surveys were carried out:**

- The hedgerows and stream
- An amphibian survey of the pond and surrounding areas
- Reptiles
- Bat survey of the large trees
- Badger survey
- Water vole survey
- A habitat assessment to evaluate the potential for birds.

**6.9** In summary the report concluded that the reptile and amphibian surveys yielded no results. No water voles were found around the existing pond although this and the stream had many rat holes, but a water vole was seen along the southern bank of the stream. The site was generally species-poor with the stream and mature trees representing the only good wildlife habitats.

**6.10** It concluded that the crossing of the stream requires careful positioning to avoid the felling or lopping of mature trees, which may have Bats, and to avoid potential damage to Water Vole habitat.

**6.11** The proposal clearly introduces an opportunity to encourage the bio-diversity on site. A condition requesting further landscaping and planting will be attached to any permission, in line with policy LT7 of the local plan.

**6.12 Access from Kingsway**  
Local residents were concerned at the possible use of the land with potential access to Kingsway. A condition restricting access to purely maintenance vehicles would be attached to any planning permission.

**6.13 Golf Ball Damage**  
The threat to rear windows of dwellings along Lower Road has been raised by the Parish Council. At the same time local residents have raised no objection to the golf course extension as such, but were concerned at the possible loss of views resulting from the extra hedge and tree planting. To overcome the concerns of the Parish Council a high chain link fence would be required to run along the rear boundary of the houses in Lower Road. This would represent a rather obvious barrier and although this would allow views through the mess would evidently affect the outlook for residents. Another consideration is the fact the green belt boundary runs through the middle of the rear gardens and its siting would thus be within the green belt. Undoubtedly this would have a detrimental affect on the openness of the green belt.

6.14 The rear gardens generally extend to at least 35 metres. Given the distances involved it is considered that the need for a tall chain link fence to the rear of properties in Lower Road would affect the residents' outlook rather than protect the windows to their dwellings. The proposed hedging alongside the boundary is a matter of concern for the residents. At the same time this would help to reduce any golf ball invasion, but it might also be appropriate to attach a condition for the seasonal maintenance of the hedging. The Loss of a view and outlook is not a material consideration. It is felt that the lack of a vast chain link fence and the proper management of the hedging will go some way to protecting the rural outlook, at the same time allowing residents a reasonable view, rather than a dense and ever growing screen at the bottom of their properties.

6.15 **The stream**  
Now that both banks are clearly part of the same ownership the owners will have to comply with the appropriate regulations.

6.16 **Water-logging**  
This is a current cause of concern related to the pond outside of the applicant's site. There is no reason to presume that the proposed pond will contribute further to the water-logging of adjacent land.

6.17 **Policy Considerations**  
In terms of green belt policy GB1 accepts 'small-scale... out door participatory sport' as being an acceptable activity within the green belt.

6.18 Golf course facilities are considered by Policy LT7, the proposal meets the requirements of LT7 in terms of wildlife and habitat considerations. The site is not unduly prominent and there are good road communications with the rest of the district.

6.19 Policy RC8 Landscape Improvement Areas. The proposal would not be detrimental and harmful compared with the existing appearance and character of the landscape.

#### CONCLUSION

6.20 Officers do not believe that there are any reasons to refuse this application. Various planning conditions can be attached to the planning permission that will overcome the majority of the concerns that have been raised.

#### RECOMMENDATION

6.21 It is proposed that this Committee **RESOLVES** to **APPROVE** the application

- 1 SC4 Time Limit Full -Standard
- 2 There shall be no public access to the site from Kingsway, whether vehicular or pedestrian with the exception of work for maintenance on the site.
- 3 Prior to commencement of development on the land, full details shall be provided in writing to the Local Planning Authority showing the siting and appearance of the bridge(s) to be provided crossing the stream. Any proposal shall be supported by a full ecological assessment.

- 4 No tree on site shall be felled or lopped without first obtaining the written approval of the Local Planning Authority.
- 5 A scheme detailing the proposed hedging along the northern boundary of the site (to the rear of properties fronting Lower Road) and its seasonal maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The hedge shall not exceed 5m in height at any time.
- 6 Prior to commencement of the approved development on site a detailed scheme of landscaping encouraging the biodiversity on the site, shall be submitted to and approved in writing by the Local Planning Authority.

**Relevant Development Plan Policies and Proposals:**

GB1, LT7, RC8

of the Rochford District Local Plan First Review

of the Essex Structure Plan Adopted 2<sup>nd</sup> Alteration

C2, CS2, NR11, LRT3,

  
Shaun Scrutton  
Head of Planning Services

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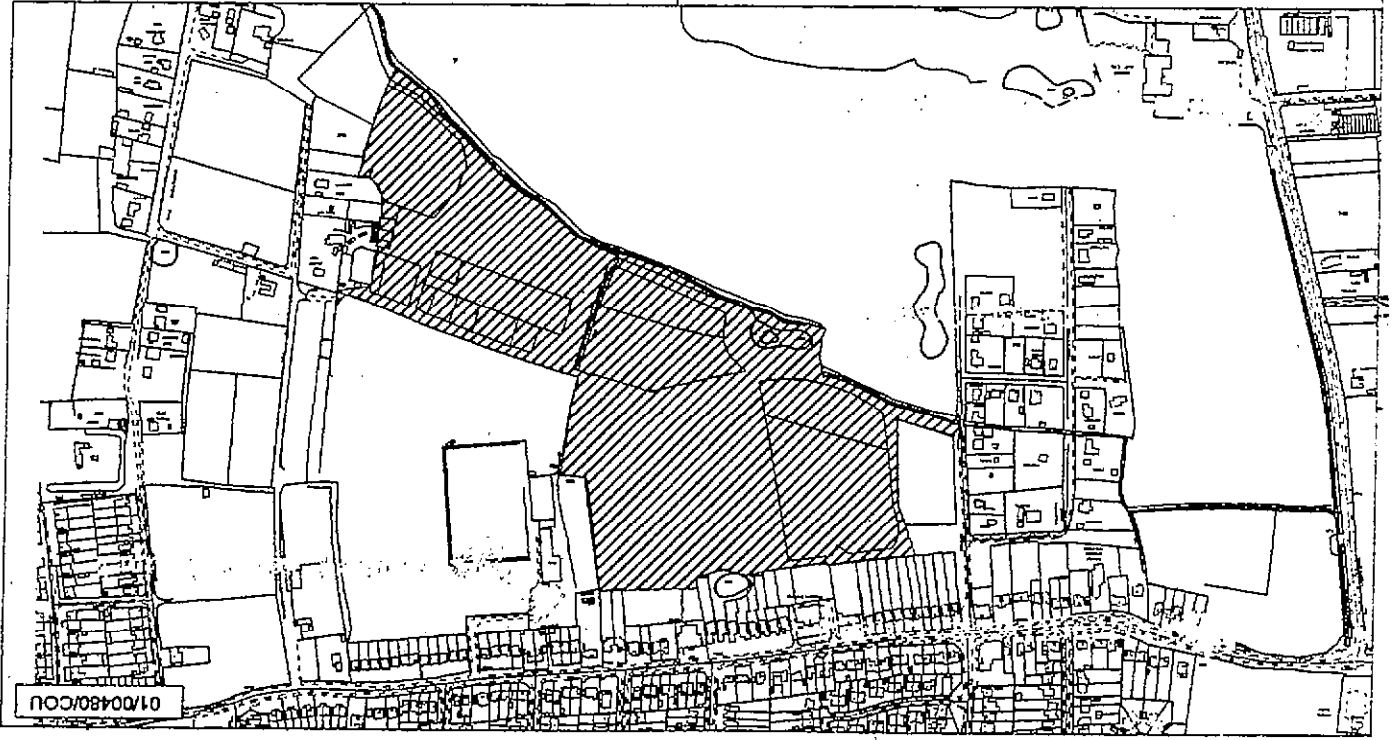
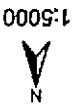
The local Ward Members for the above application are Cllr Mrs W Stevenson.  
Cllr Mrs R Brown.

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

149

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TITLE : 01/00621/COU  
CHANGE OF USE OF BUILDING FROM OFFICE USE  
ANCILLARY TO FORMER ON SITE MANUFACTURING USE  
TO SEPARATE FREESTANDING OFFICE USE.  
26 BROOK ROAD  
RAYLEIGH

APPLICANT : INTER CITY TRADING

ZONING : EXISTING AREA PRIMARILY FOR INDUSTRIAL USE

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHITEHOUSE

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#### PLANNING APPLICATION DETAILS

- 7.1 This application relates to an existing building on the south side of Brook Road. The last use of the building was as an office and, when in use, it was associated with and part of the Falmer Jeans use of the buildings. The use of the building then was a part of the overall manufacturing use on the site.
- 7.2 As Members may well know, the Falmer Jeans use of the site has ceased. Subsequent to that, permissions have been granted for the manufacturing building on site to be subdivided into four separate units. At least two of these are now occupied by different users.
- 7.3 From the original site then the office building remains unused. The application seeks permission to use that building as a freestanding office, that is, not in connection with any other use on the former site.
- 7.4 This application is before Members as a fast track matter. The intended occupier of one of the floors of the building is currently located in Leigh-on-sea and proposes to bring the equivalent of 30 full time equivalent jobs to the site and district.

#### RELEVANT PLANNING HISTORY

- 7.5 Numerous permissions for the original construction of the building, as part of the manufacturing uses on the site, and additions to it, amounting to the building as it currently exists.

#### CONSULTATIONS AND REPRESENTATIONS

- 7.6 Given that this is a fast track matter the period during which consultation responses can be made is yet to expire. Feedback which is received prior to the meeting will be included in the addendum sheet.

MATERIAL PLANNING CONSIDERATIONS

- 7.7 The principle of the use of the site merits consideration. Office uses fall within Class B1 of the Use Classes Order. Policy EB2 of the Local Plan indicates that in those areas allocated primarily for industrial purposes, Class B1 uses are one of those that will normally be allowed. The principle of the use is acceptable then within the appropriate Local Plan policy. Indeed, in this case the building to be used was originally constructed with office use in mind and does not, therefore, result in the loss of any manufacturing space.
- 7.8 The second main issue relates to the capacity for car parking at the site. Parking provision generally on the Industrial Estate is limited and there are particular points within the area where shortages appear acute. This is largely due to the time when the majority of construction of the units took place. When they were built, the reliance on the use of private vehicles was not foreseen or anticipated, therefore few spaces were provided.
- 7.9 This office is to have the benefit of 22 spaces. There is no additional land associated with it on which additional spaces could be provided. Removal of the landscaping provision to the frontage would not assist in this respect as it would not create sufficient additional space to provide more parking.
- 7.10 The building is to have a floorspace of 1096sqm. Using the current car parking standards this would require the provision of 36 spaces. Clearly provision is below this. Whilst the standard requirement is recognised, both the current local standards and those set out in Planning Policy Guidance Note 13 (Transport) require that greater encouragement is given to alternative methods of transport, for example by the provision of facilities for cyclists. No such facilities are shown to be proposed for this site, but to meet that standard, 21 cycle parking spaces should be provided. Whilst none are shown at present some could be incorporated into the site layout.
- 7.11 There would not appear to be any other issues that are significantly material in this case. The judgement to be made then is whether the lack of parking spaces can have such weight attributed to it that permission should not be forthcoming. The harm that is likely to arise, should permission be given, is that congestion in and around the site will increase. Most who work at the site will become familiar, of course, with the difficulties of parking at it and will be likely to settle for parking which is more distant. It is certainly the case that, to the west, closer to the entrance to the estate, parking is more plentiful. The provision of cyclist facilities may have the benefit of removing some of the vehicle journeys to the site.
- 7.12 When making the decision the alternative to not granting permission should be considered. As we know, the building is one which already exists. The specification of it is unlikely to prove attractive to general industrial or storage/distribution uses. These are the other uses which are acceptable in principle in the area and which attract lower parking standards. It would seem then that, in the absence of a permission, the building may well fall out of any use in the long term, with the consequent loss of employment from the area.

- 7.13 Clearly if a new building were to be implemented here it would be reasonable for the Authority to require one which paid full regard to the parking standards. In this case the fact that the building is already present on the site, as has been for a considerable period must be a factor that tempers the normal requirement for full parking standard provision.
- 7.14 In any event it is likely, were this application not to be successful, that the applicants will pursue an application for a Lawful Development Certificate, on the basis that the use of the building was not an ancillary one on the site and that permission is therefore not now required to occupy it as a separate unit. Whilst the outcome of this cannot be anticipated, it would remove the possibility the Authority has, at this stage, to require parking provision for alternative transport modes: the cyclist spaces.
- 7.15 Notwithstanding that this matter is presented as a fast track item it is considered that the issues that are likely to arise can be clearly foreseen in this case. It is anticipated that the decision will turn on the matter of the parking provision. It is further considered that, on the basis of the arguments set out above, that the use of the building should be permitted, but that the applicant should be required to implement cyclists parking provision within the scheme. If this course of action is acceptable to the Members it is requested that authority be delegated to the Head of Planning Services to determine this application after the expiry of the consultation period and subject to the inclusion of cyclist parking provision within the scheme.

#### CONCLUSION

- 7.16 The principle of the use of the building is acceptable within the Industrial Estate. Re-use of the building however leads to a requirement for parking which cannot be met on the site. The building has been in existence on the site for some time and, alternatives to re-use for office purposes appear limited. Alternative parking provision is available, be it more remote from the building. Parking provision for cyclists can be incorporated in an attempt to encourage alternative travel modes to the site.
- 7.17 It is considered that the re-use of the building for office purposes is preferable to possible non-use, or for other uses which could have equal demands for parking.

#### RECOMMENDATION

- 7.18 It is proposed that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to **APPROVE** this application after the expiry of the consultation period and subject to the inclusion of cyclist parking facilities within the scheme. The following heads of condition, along with any others suggested by the County Surveyor, also to be applied:
- 1 SC4 Time Limits Full
  - 2 SC76 Parking and Turning Space



**Relevant Development Plan Policies and Proposals:**

EB1, EB2, TP15 of the Rochford District Local Plan First Review

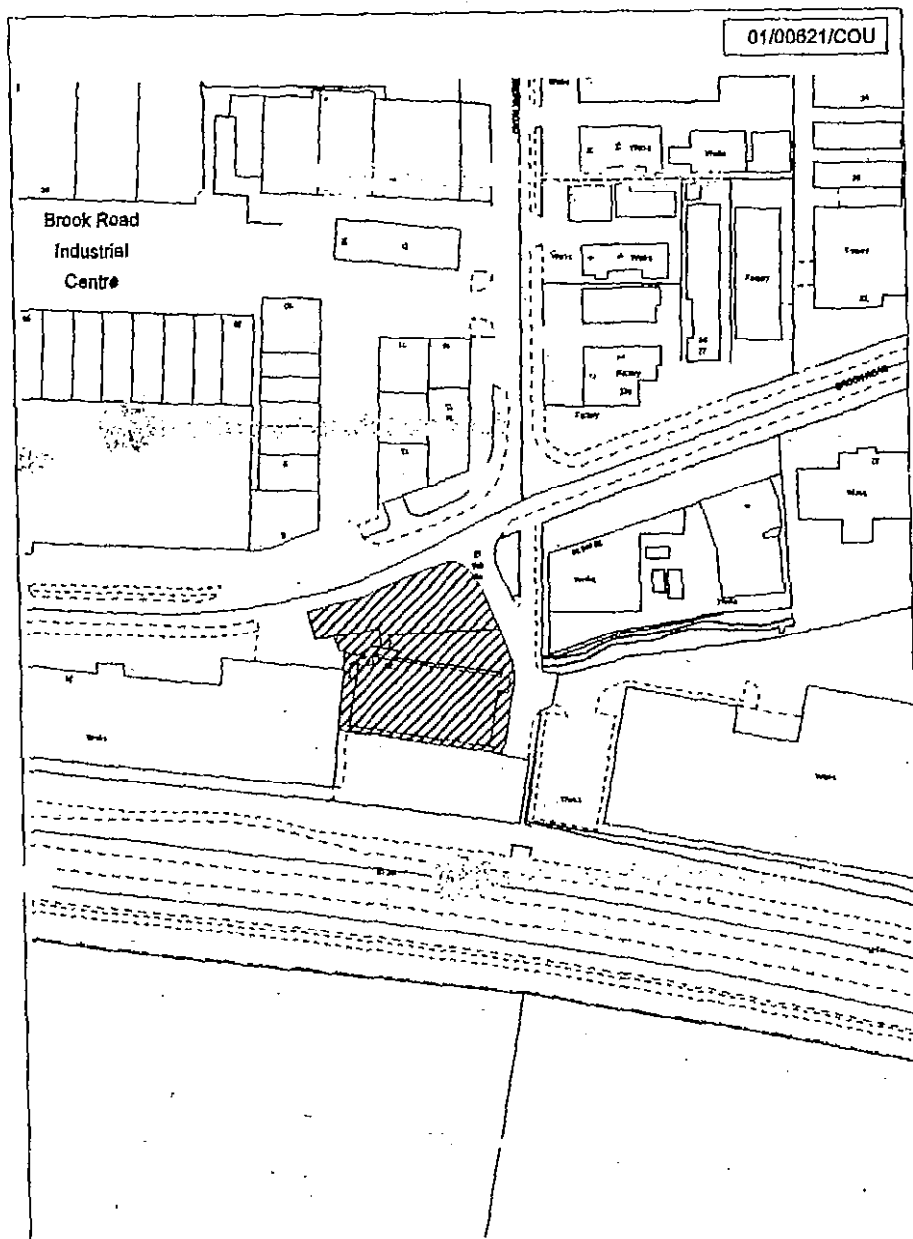
CS1, CS3, BIW6, T3, T6, T12 of the Essex and Southend on Sea  
Replacement Structure Plan

  
Shaun Scrutton  
Head of Planning Services

---

The local Ward Members for the above application are Cllr Mrs M Giles. Cllr  
P F A Webster.

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



01/00821/COU

Brook Road  
Industrial  
Centre

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TITLE : 01/00529/GD1  
CONVERT FORMER SCHOOL TO CONSERVATION CENTRE  
FOULNESS VOLUNTARY PRIMARY SCHOOL CHURCH END  
FOULNESS ISLAND

APPLICANT : DEFENCE ESTATES EAST

ZONING : RURAL LAND OUTSIDE METROPOLITAN GREEN BELT

PARISH: FOULNESS

WARD: FOULNESS & GT WAKERING

---

**PLANNING APPLICATION DETAILS**

- 8.1 This application proposes to convert a former school into a conservation centre for Foulness Island. It is proposed that the new centre will be utilised by the Foulness Conservation and Archaeological Society to store and display items of conservation and archaeology to members of the public.

**RELEVANT PLANNING HISTORY**

- 8.2 There has been a previous grant of consent on the school site under application number GB/0379/96/ROC. This was for the conversion of the school into two dwellings. This permission is now nearing its expiry period (5<sup>th</sup> September 2001).

**CONSULTATIONS AND REPRESENTATIONS**

- 8.3 **Local Plans** advise that the site lies within an area beyond the Green Belt. The application proposes the change of use of a rural building and hence, Policy GB5 is pertinent to the consideration of the proposal. However, you will be aware that this policy is now rather out-of-step with national planning guidance and more weight should thus be placed upon the guidance of PPG7 – notably the five criteria listed in paragraph 3.14. Based on the submitted information, it would appear that the proposal complies with these criteria, and no objection is raised.
- 8.4 **Essex County Council (Highways)** advise that this application is de-minimis in highway terms.
- 8.5 **Essex County Council (Historic Buildings & Conservation Advice)** comments that the proposal would have no detrimental impact on the character or appearance of the conservation area. The demolition of the oil storage tank building and the carport would probably even enhance the setting of the building. No objections are raised and permission is recommended to be granted.

**MATERIAL PLANNING CONSIDERATIONS**

- 8.6 The site in question is located outside the designated Metropolitan Green Belt, within a recognised rural area; the nearest buildings are St Mary's Church and the Rectory at the centre of the village. The school's location is exposed to open vistas from the surrounding area; therefore any development must be sympathetic to the building and location.
- 8.7 The proposal includes demolition of an oil storage tank building located to the East elevation of the building, this aspect of development will remove an unsightly element thereby exposing a large feature window to the end wall that is presently partially obscured. No further external alterations are proposed to the building.
- 8.8 **Local Plan Policy GB5** covers the change of use of buildings in rural areas, the proposed development is in accordance in many aspects of GB5 with the proposal being respectful of the surrounding location and the existing building. **Planning Policy Guidance 7 (PPG7)** sets out 5 key criteria for the development/re-use of buildings in rural areas, these are set out as follows;
- They are of a permanent and substantial construction;
  - Conversion does not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
  - Their form, bulk and general design are in keeping with their surroundings; and
  - Imposing reasonable conditions on a planning permission overcomes any legitimate planning objections ( for example on environmental or traffic grounds) which would otherwise outweigh the advantages of re-use; and
  - If the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction.
- 8.9 The proposed conversion is in accordance with the main points of PPG7, representing an appropriate and sympathetic re-use of the existing building.

**CONCLUSION**

- 8.10 The proposed development is a desirable use for a now surplus building, the external alterations generating a small improvement in the visual appearance of the building by removing an undesirable element, whilst the proposed use is sympathetic to the location providing a service for residents and visitors to the Island.

**RECOMMENDATION**

- 8.11 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following condition:
- 1 SC4 Time Limits Full – standard

**Relevant Development Plan Policies and Proposals:**

GB5, LT9 of the Rochford District Local Plan First Review

CS3, C5, LRT4 of the Adopted Essex and Southend on Sea Replacement Structure Plan.

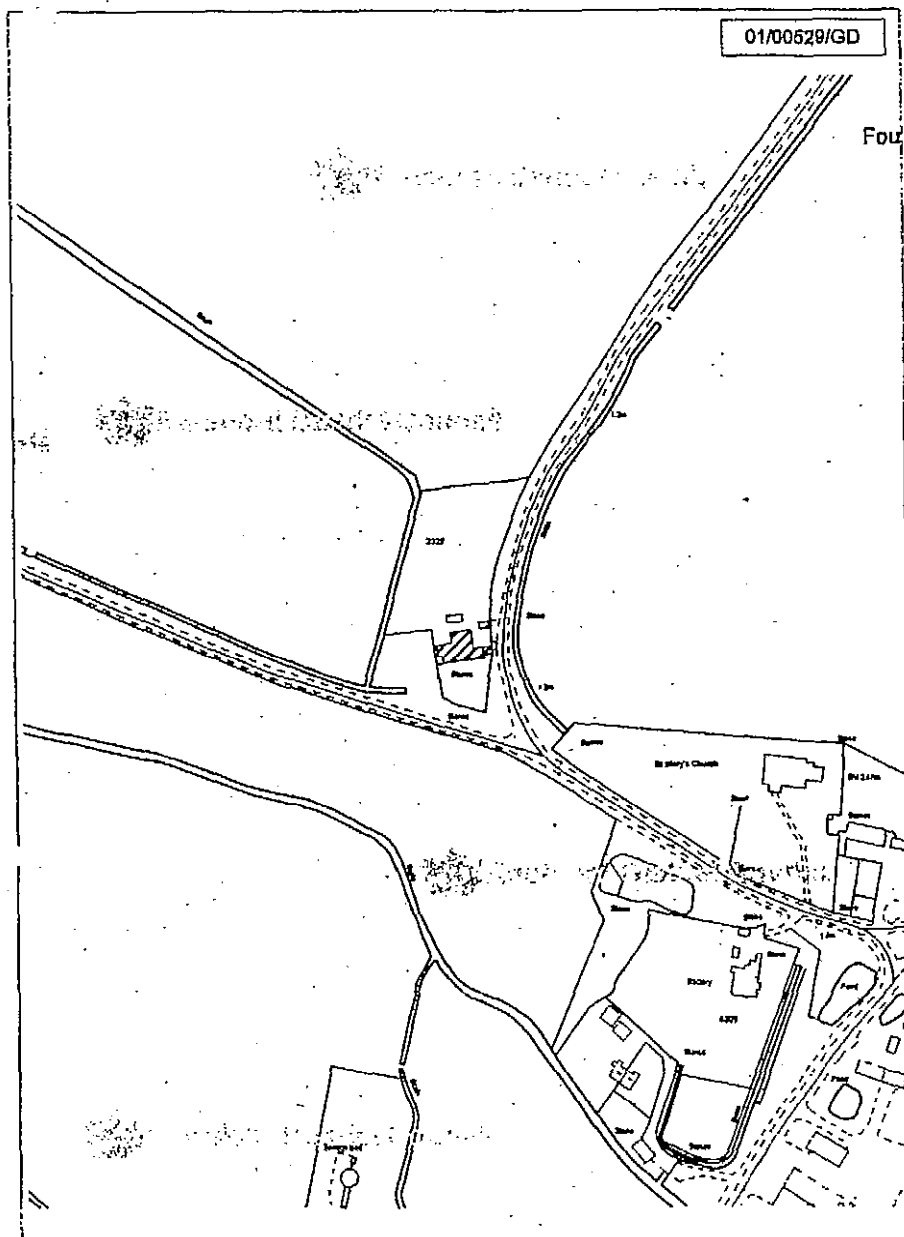


Shaun Sprutton  
Head of Planning Services

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The local Ward Member for the above application is Cllr R A Pearson

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



01/00529/GD

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TITLE : 01/00582/CM  
ERECTION OF SCHOOL HALL AND CONVERSION OF  
EXISTING HALL INTO 2 (NO.) CLASSROOMS  
RAYLEIGH COUNTY JUNIOR & INFANT SCHOOL LOVE  
LANE RAYLEIGH

APPLICANT : ESSEX COUNTY COUNCIL

ZONING : SCHOOL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

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#### PLANNING APPLICATION DETAILS

- 9.1 This application is for the erection of a school hall and conversion of the existing hall into 2 classrooms. The school is sited with its main entrance to Love Lane, the site extends behind the High Street towards Crown Hill.

#### RELEVANT PLANNING HISTORY

- 9.2 The planning history on this site includes the siting and renewal of permissions for relocateable classrooms; there have been no recent relevant applications for development.

#### CONSULTATIONS AND REPRESENTATIONS

- 9.3 Rayleigh Town Council has no objection to this application.
- 9.4 Housing, Health & Community Care has no adverse comments in respect of this application subject to conditions being attached to any grant of permission.
- 9.5 Rayleigh Civic Society have no comment to make about this application except to record that we would like to see a drawing showing the elevation of the new school hall showing high level windows.
- 9.6 Environment Agency have advisory comments for the attention of the applicant.

#### MATERIAL PLANNING CONSIDERATIONS

- 9.7 This application concerns the construction of a new hall, with the conversion of the existing hall into classrooms. The new building is proposed to utilise sympathetic materials with matching window styles to the existing older buildings.

- 9.8 When considering the impact this development will have on the surrounding location, it is vital to look at the site levels. Overall there is a significant fall away from the properties on the High Street and towards the open area of the site. This is in part the natural gradient though it is 'controlled' by the built form of the location, whilst the proposed development is to be 'set in' to the ground, maintaining a low slab level to reduce any possible impact further.
- 9.9 There will be no impact from development on Love Lane; due to the slope of the site, development will be barely visible. To the rear of the High Street, there is little by way of residential impact, with many larger buildings such as the Library and Milk Depot taking much of the impact away. When viewed from the North, Rookery Close, the building will again be obscured due to existing school development on site. Overall the proposed location forms no significant impact on the amenity of the surrounding area.

#### CONCLUSION

- 9.10 The building proposed within this application has been sited in a manner to reduce its impact as far as possible on the surrounding location; this is an acceptable development, creating further capacity for the school with no loss to the surrounding location.

#### RECOMMENDATION

- 9.11 It is proposed that this Committee **RESOLVES** that the county be informed that this council has **NO OBJECTIONS** subject to the following condition;
- 1 SC15 Materials To Match Existing

#### Relevant Development Plan Policies and Proposals:

CS2, BE1 & TCR3, of the Essex and Southend on Sea Replacement Structure Plan



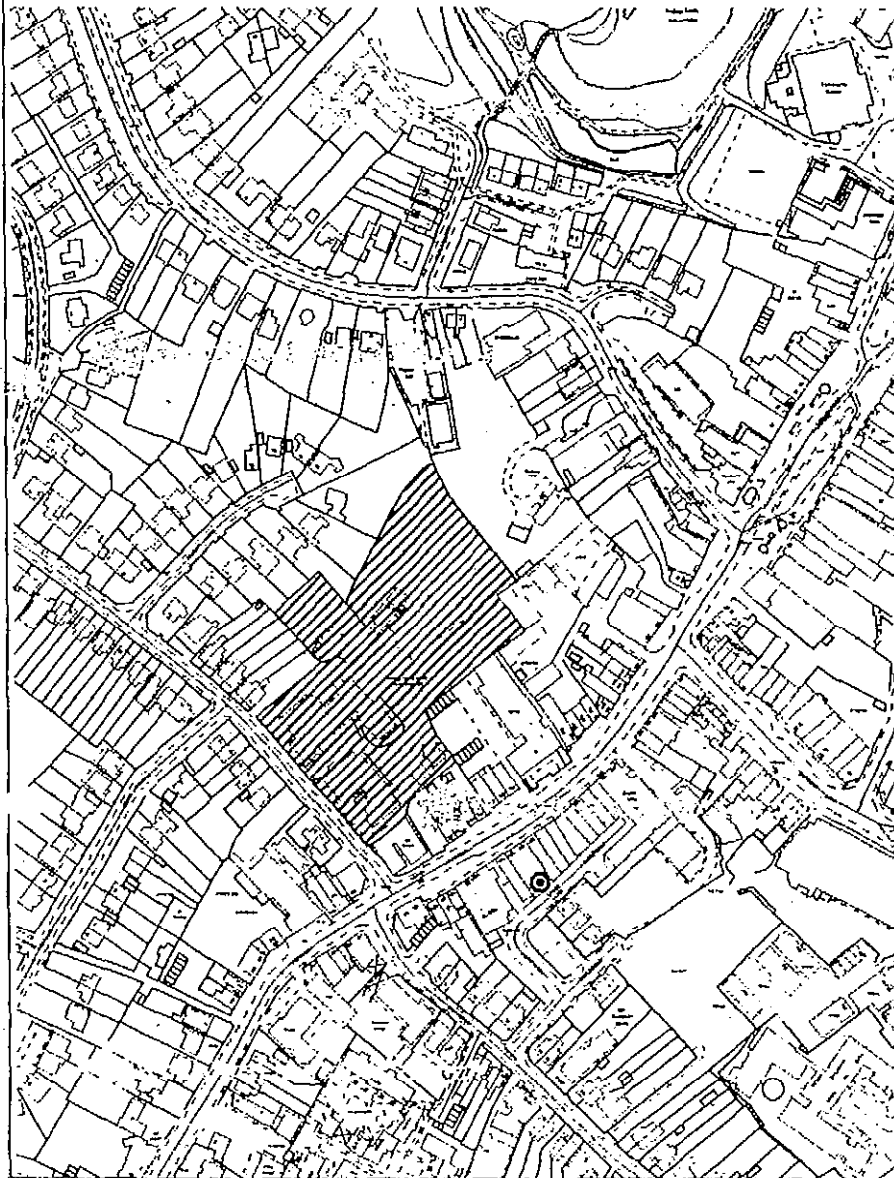
Shaun Scrutton  
Head of Planning Services

The local Ward Members for the above application are Cllr C C Langlands.  
Cllr Mrs M J Webster.

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



01/00562/CM



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*RB*

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TITLE: 01/00514/FUL  
ERECT 2-BED DETACHED BUNGALOW WITH BASEMENT  
AS AGRICULTURAL MANAGERS DWELLING  
CHERRY ORCHARD NURSERY, CHERRY ORCHARD LANE,  
ROCHFORD

APPLICANT: MR P WOODS

ZONING: METROPOLITAN GREEN BELT, ROACH VALLEY NATURE  
CONSERVATION ZONE, SPECIAL LANDSCAPE AREA

PARISH: ROCHFORD PARISH COUNCIL AREA

WARD: ROCHFORD ST ANDREW

SITE AREA: 0.074ha

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#### PLANNING APPLICATION DETAILS

- 10.1 This application proposes the construction of a dwelling for the manager of the operation at Cherry Orchard Nursery. Members will recall the recent outline application for a similar form of development. This application is in full form, and therefore not a reserved matters application which flows from the earlier application, which was approved. Being a fresh application the question of the principle of the use needs to be considered afresh.
- 10.2 For this latest application the dwelling would have an external area of 136.5sqm (approx) excluding the external stairway that leads down to a basement. The basement, which extends under the full area of the ground floor, is proposed to be for recreational purposes only and, in addition to the external stairway, is accessed also from an internal stairway.
- 10.3 Externally, the dwelling would have a height to the eaves of 2.9m approx and to the roof of 7.5m approx (Note that the height of the proposed property, as shown on the various elevation drawings is not consistent. The above height is the greatest measured). The dwelling is to be located to the south of the nursery operation at Cherry Orchard Nursery.

#### RELEVANT PLANNING HISTORY

- 10.4 Two outline applications for residential development were refused in 1961 and 1979. These appear to have been for speculative open market housing and not related to the specialised need being claimed here.
- 10.5 An application for the construction of a greenhouse was permitted in 1970.

- 10.6    The recent outline application for the erection of an agricultural managers dwelling (00/00540/OUT) was permitted 22 March 2001.

**CONSULTATIONS AND REPRESENTATIONS**

- 10.7    The County Surveyor advises that the proposals are de-minimis in highway terms.
- 10.8    The County Minerals Planning Officer has no observations.
- 10.9    The Environment Agency has no objections and has provided advice in relation to means of foul and surface water disposal and other consents which may be required.
- 10.10    Anglian Water has no objections.
- 10.11    The Head of Housing, Health and Community Care has no objections.
- 10.12    Rochford Parish Council objects to the proposals
- 10.13    The Rochford Hundred Amenity Society has no objections.

**MATERIAL PLANNING CONSIDERATIONS**

**Functional and Financial Tests**

- 10.14    Members may recall the test to be applied when a dwelling is proposed in relation to an agricultural operation. These were set out in full in the earlier committee reports in relation to the development of a dwelling on this site. They are established in PPG7, The Countryside and Environmental Quality etc, and are replicated and expanded upon in Local Plan policy GB3.
- 10.15    The development proposals need to be submitted to a functional and financial test. The functional test is that the proper functioning of the establishment requires a worker to be present or readily available. When dealing with the previous application the applicant submitted an Agricultural Assessment which dealt with the merits of the proposal in relation to these tests.
- 10.16    Members may recall that the development site is part of a larger operation which is located both here and at Folly lane, Hockley. The point was made, in the report, that control systems that are in place to moderate the climate for growing plants, at the Cherry Orchard location need both constant attention and manual control. It was also pointed out that a presence on site has reduced incidents of criminal damage. On the basis of those matters it was agreed there is a functional need for a presence at this site.
- 10.17    The applicant has submitted the same assessment report in relation to this current application and points out that circumstances are unchanged. Given the short period of time this is highly likely to be the case and it is considered that the functional need for a dwelling at the site is still an adequately established matter.

- 10.18 The financial test relates to the economic viability of the agricultural operation. This is used to provide evidence of the size of a dwelling that a unit can sustain. The guidance in PPG7 is that dwellings that are unusually expensive to construct, in relation to the income that the unit can sustain in the long term, should not normally be permitted. It is the requirements of the enterprise that are relevant to determining the size of the dwelling.
- 10.19 To assess this test the applicant is required to supply detailed financial information. Due to the sensitive nature of this information the detailed analysis of the figures is incorporated as a confidential annex to this report. The following is a summary of the conclusions reached on the basis of that information.
- 10.20 It is considered that the cost of construction of the dwelling in this case, is expensive in relation to the financial income generated by the agricultural unit. This is particularly so as a very robust assessment has been made of the financial information assigning many of the significant costs to the Folly Lane site. It is considered that, in this case, the financial test is not met.

**Impact on the Green Belt**

- 10.21 As indicated, the dwelling proposed is to have a maximum height of 7.5m. Illustrative details submitted with the outline application envisaged a dwelling of some 7m height. The location of the dwelling is, of course, in the Green Belt. It is considered that the height of the dwelling is such that it will be prominent in view of the site from the Cherry Orchard Way/Hall Road area. It is considered that revised proposals, with a much lower roof pitch, could be devised to overcome this problem.
- 10.22 The dwelling is to have a basement which is shown, without windows, to be used for recreational purposes. Notwithstanding this, Building Control Regulations would require the implementation of windows to this area to allow passive ventilation. These could be provided in light wells created around the basement. Given this, it is considered that the basement area effectively constitutes habitable floorspace. The floorspace created therefore is in the order of 270m<sup>2</sup>, more than is reasonably necessary for the functional needs of the holding. The implication, in Green Belt terms, is that greater occupancy of the dwelling could take place, either now or in the longer term, than is reasonably necessary for the operation of the agricultural unit and to the detriment of the character of the Green Belt.

**CONCLUSION**

- 10.23 This application constitutes a dwelling similar to that previously proposed, but with the addition of a basement. Having considered the financial figures for the operation of the agricultural unit, it is considered that the costs of construction of the dwelling are excessive in relation to the income available. The proposals fail the financial test.
- 10.24 The height of the proposed dwelling is such that it has an unnecessary and intrinsic impact on the character of the area and the Green Belt.

RECOMMENDATION

10.25 It is proposed that this Committee **RESOLVES** that this application be **REFUSED** for the following reasons:

- 1 The dwelling is proposed as an Agricultural Manager's dwelling. The Local Planning Authority is of the view, having considered the financial information in relation to the agricultural unit on which the dwelling is proposed, that the costs of construction of the proposed dwelling are excessive in relation to the income of the unit. It is not one which can be sustained by the agricultural unit and the proposals therefore fail the financial test as set out in PPG7. To permit development with such failings would be contrary to the advice in PPG2 (Green Belts), PPG7 (The Countryside, etc.) and harmful to the continued protection of the character and appearance of those areas.
- 2 The implementation of a below ground area to the dwelling will result in floorspace which, in the view of the Local Planning Authority is in excess of what is required to meet the functional needs of the agricultural unit. Such additional floorspace is likely to result in a greater occupation of the dwelling than functional needs require, introducing more activity than is necessary into the Metropolitan Green Belt. Such an impact is contrary to the national, strategic and local policy objectives of restricting development in the Green Belt.
- 3 The Local Planning Authority is of the view that the height of the dwelling proposed is unnecessarily excessive, given its single storey nature. The excessive height would serve to ensure that the proposed dwelling would be significantly visible in views of the site from the area surrounding it. It will, as a result, have a significant and detrimental impact on the currently undeveloped appearance of the countryside and Green Belt and special landscape of the area in which it is located.

**Relevant Development Plan Policies and Proposals:**

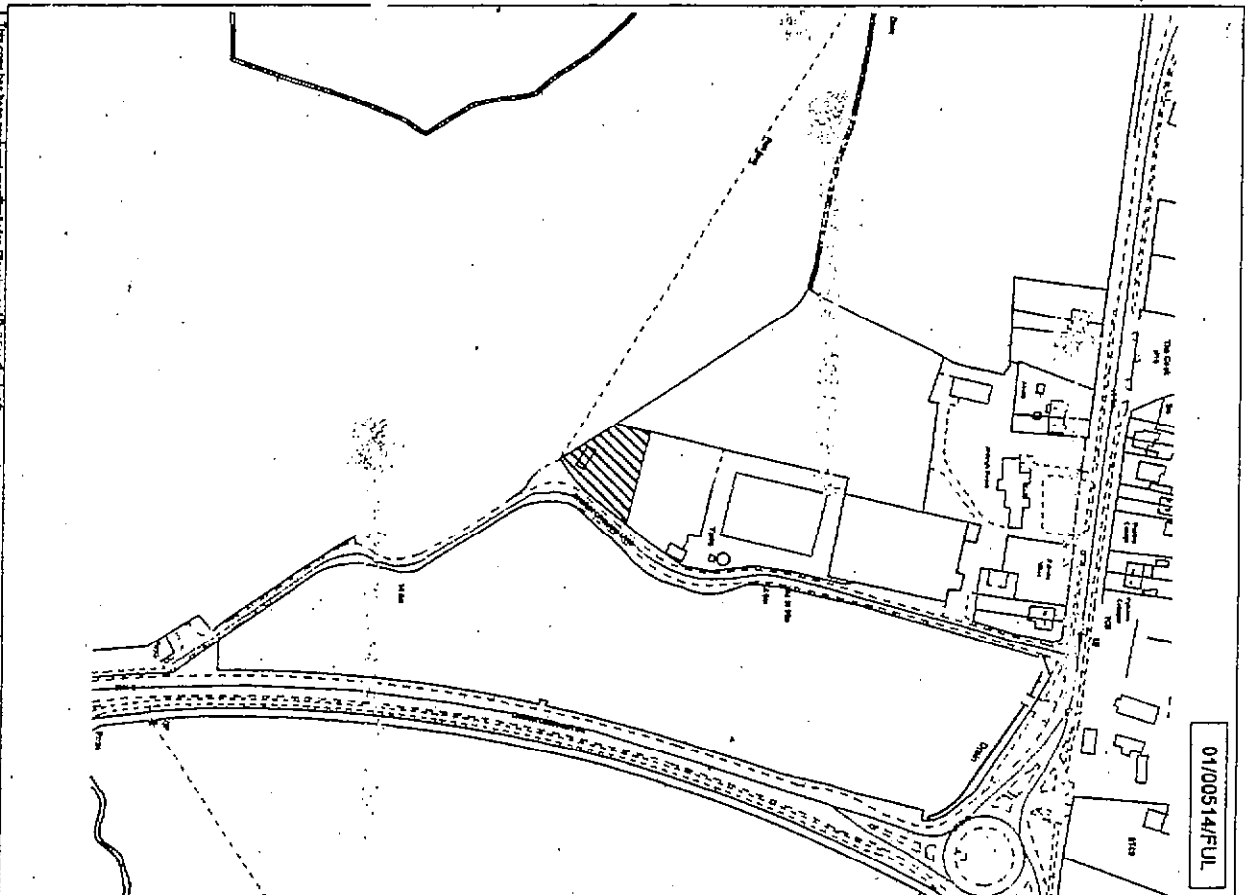
H11, GB1, GB3, RC7 of the Rochford District Local Plan First Review

CS2, C2 of the Essex and Southend on Sea Replacement Structure Plan

  
Shaun Scrutton  
Head of Planning Services

The local Ward Members for the above application are Cllr R A Amner. Cllr D A Weir.

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



01/00514/FUL

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RE

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TITLE: 01/00588/COU  
CHANGE OF USE FROM GENERAL INDUSTRIAL USE  
(CLASS B2) TO WAREHOUSE AND DISTRIBUTION (CLASS  
B8)  
1 FLEET HALL ROAD, ROCHFORD

APPLICANT: W J WOOD & SONS

ZONING: EXISTING INDUSTRIAL

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD EASTWOOD

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#### PLANNING APPLICATION DETAILS

- 11.1 This matter is being reported to the committee by virtue of the Council's 'fast track' procedure for employment generating proposals. If the application were to be implemented, it would have the capacity to create in the order of 24 jobs within the existing building, which stands vacant.
- 11.2 A supporting letter and conversations with the applicants agent have confirmed that the current application has arisen due to an aborted deal with the vendor of the Eldon Way site, therefore the same applicant seeks a change of use for a unit at Fleet Hall Way to site an identical operation.
- 11.3 The application is at a critical stage with consultations still outstanding at the time of writing. It is brought before members with regard to a recent grant of permission for an identical use and applicant at a similar site.

#### RELEVANT PLANNING HISTORY

- 11.4 Previous application number 01/00345/COU was for an identical change of use to a unit at 7-12 Eldon Way, Hockley. Following a fast track report to committee, which highlighted issues for consideration, a members site visit was conducted primarily to establish the highway issues relating to development. Approval was given at the June Committee meeting.

#### CONSULTATIONS AND REPRESENTATIONS

- 11.5 Thorough consultation has taken place on this application with the inclusion of members' views on the previous Eldon Way site. No responses have been received to this application so far.

**MATERIAL PLANNING CONSIDERATIONS**

- 11.6 The proposal would bring approximately 24 jobs into the Rochford District as the applicant is relocating from existing premises in Southend. The proposed use is for a tyre distribution business. Correspondence under application number 01/00345/COU found that the operation will consist of new tyres being delivered in bulk, with distribution of smaller loads to the surrounding area. There will be minimal amount of second hand/used tyres associated with this use. The agent advises that the working of the business is unchanged from the previous application. The operation involving delivery from large lorries, some articulated, with outgoing dispatches via smaller lorries and vans.
- 11.7 Following Local Plan Policy EB2, within allocated Industrial areas, applications for development within Classes B1, B2 & B8 will normally be permitted. This site is of such designation and the resultant works if an approval is given will have no significant detrimental impact on the amenity of the industrial estate.
- 11.8 The applicant has advised that no external alterations are required to the building, whilst occupation will mean the cosmetic appearance of the building is maintained to the benefit of the other estate residents.

**CONCLUSION**

- 11.9 The proposed change of use constitutes a form of development, which is appropriate for the Industrial Estate location providing a regeneration of a unit and the provision of 24 job opportunities. Favourable consideration should be given to the proposal pending receipt of full consultations.

**RECOMMENDATION**

- 11.10 It is proposed that this Committee **RESOLVES** that authority be delegated to the Head of Planning Services to approve this application after the expiry of the consultation period to include the following heads of condition:
- 1 SC4 Time Limits Full – standard
  - 2 SC28 Use Class Restriction
  - 3 SC36B External Storage – Limit (Unspecified)



**Relevant Development Plan Policies and Proposals:**

EB1, EB2 of the Rochford District Local Plan First Review

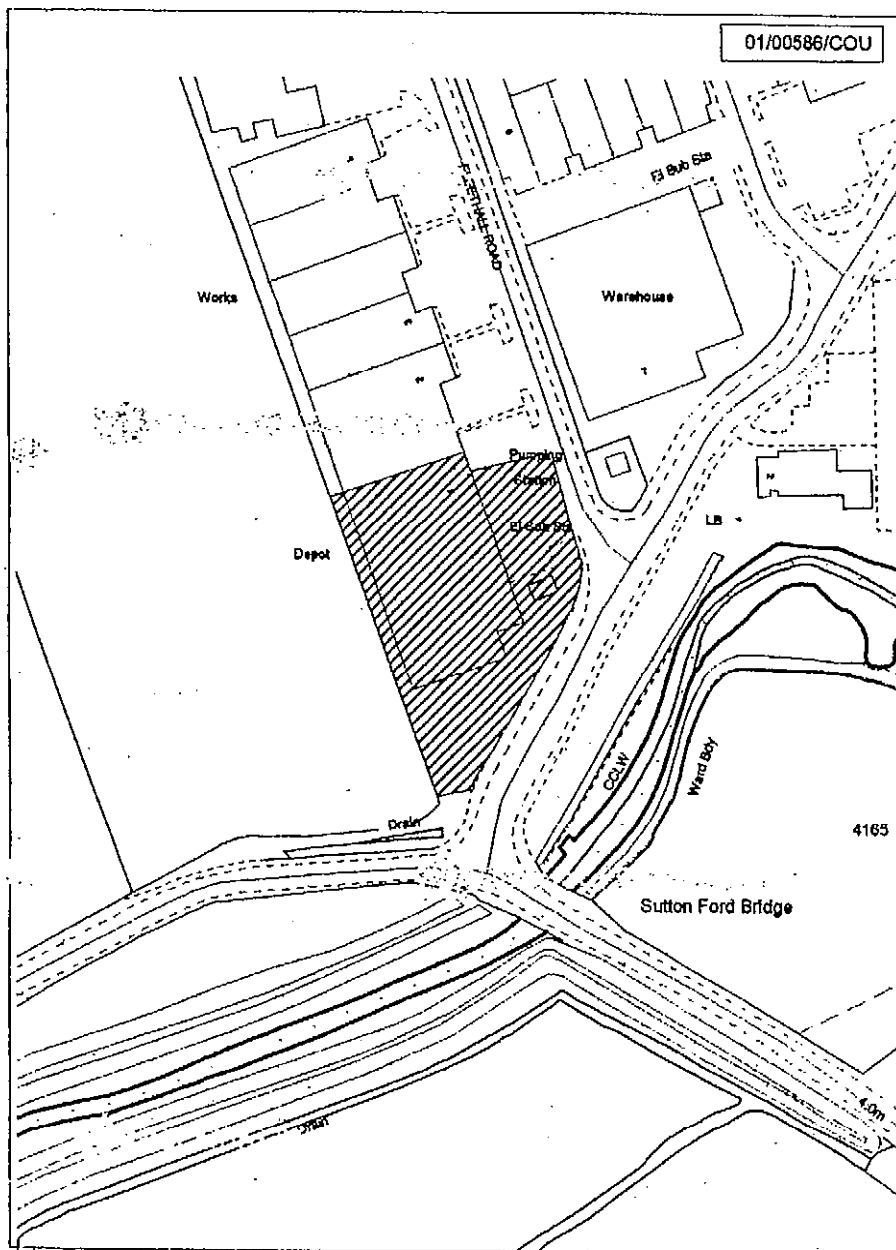
CS1, BIW4 of the Essex and Southend-on-Sea Replacement Structure Plan.

  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member for the above application is Cllr Mrs E J Ford

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



*R.P.V.*

**TITLE :** 01/00128/FUL  
FORMATION AND LAYOUT OF A NOVICE 4 X 4 TRACK (TO  
BE USED ON NO MORE THAN 14 DAYS PER ANNUM)  
LAND CREEKSEA FERRY ROAD, CANEWDON

**APPLICANT :** ROCHFORD AND DISTRICT 4 X 4 CLUB

**ZONING :** METROPOLITAN GREEN BELT, LANDSCAPE  
IMPROVEMENT AREA

**PARISH:** CANEWDON PARISH COUNCIL

**WARD:** CANEWDON

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**PLANNING APPLICATION DETAILS**

- 12.1 This application seeks permission for engineering works to move soil and import clay to create a 4x4 track for novices.
- 12.2 The wider site currently operates as a 4x4 track. Permitted development allows for up to 14 days use in any one year where engineering works and development have not been undertaken.
- 12.3 The applicant's description of the proposal does not refer to extending the use of the site beyond the permitted 14 days per annum.

**RELEVANT PLANNING HISTORY**

- 12.4 None applicable.

**CONSULTATIONS AND REPRESENTATIONS**

- 12.5 **Canewdon Parish Council** – Objection. Concern is expressed that permission will result in further noise and disturbance, with extra cars and trailers coming to the site and more mud deposited on the road - as has been the case at similar sites in other parts of the country. Members are concerned that the contouring and mounding of earth would detrimentally affect the appearance of the area and impact on the openness of the Green Belt, albeit it that the height above or depth below ground level will not exceed 1.5 metres.
- 12.6 **Housing, Health and Community Care** – no adverse comments to make except for appropriate conditions to be attached to any permission.
- 12.7 **County Planner (archaeology)** – the site lies in the bottom of a former gravel pit and any archaeological remains would have been destroyed previously.
- 2.8 **County Surveyor (Highways)** – no objection.

- 12.9 County Planner (Development Control) – no objection.
- 12.10 Woodlands and Environmental Specialist – the area is partly covered by a tree preservation order. A condition should be attached requesting a further application for any works to trees. The proposal is unlikely to affect protected species.
- 12.11 Environment Agency – no comment.
- 12.12 Neighbour Notification – there have been two letters of objection. In the main these concern:
- Problem from the existing meetings with the noise from vehicles being revved and people shouting.
  - There are protected species on the site.
  - The existing use is intrusive.
  - Cars come and go on and off the site all day.
  - In the past trees have been removed as a result of the existing use.

**MATERIAL PLANNING CONSIDERATIONS**

- 12.13 The way in which the site is to be used is not a material consideration with this particular case while the use does not exceed 14 days per annum already permitted by the General Permitted Development Order 1995. Relevant issues involve consideration of the effect of the minor engineering works proposed for the site. This involves the moving of soil within the site and importation of clay to help create the novice layout. The site is partly covered by a tree preservation order and concern was raised that protected species could be affected by the proposal.
- 12.14 The applicant highlights (red line) a much wider area of land, which does not form part of the development area. The area on which the proposed novice layout is planned is sited towards the centre of the site. Alongside the southern part of the site adjoins an area of extensive tree cover. The vast majority of the site is laid to rough grass with some 1 metre high undergrowth forming the southern edge of the development site.
- 12.15 **Tree Preservation Order**  
There is a tree preservation order covering the site as a whole, although the majority of the site on which the development will take place is mainly open ground. The proposal would not have a detrimental impact on the trees on site although one or two trees do stand on part of the site. The Woodlands officer has requested a condition to the effect that should the layout include the area which is covered by the Tree Preservation Order any works to these trees shall require a further written consent.
- 12.16 **Current and Proposed Use**  
The existing use is permitted development where this does not exceed 14 days per annum. This has caused neighbours some inconvenience due to the crowds drawn to the site and the associated noise generated by vehicles and people. The proposal is an additional facility. However, the use remains permitted development provided the event days do not exceed 14 days. Consideration of use and the affect on neighbours cannot therefore be considered in this instance because the application does not seek a change of use, to allow the site to be used more than 14 days per annum.

- 12.17 The reason for planning permission in this case is that the applicant proposes relatively minor engineering works.

12.18 **Protected Species**

A neighbour's letter has drawn attention to the presence of protected species close to their property. This activity is outside of the development site at the southern end of the site outlined in red. The Council's Environmental Specialist confirms this to be the case, although he states that there are signs that some animals use the whole of the site for foraging, notwithstanding the presence of 4 x 4 activity on the site. His advice also drew attention to possible Crested Newt habitat, however, the type of proposed development and the disturbance of the land, etc. could be beneficial to them.

12.19 **Policy**

The area lies within the Metropolitan Green Belt and as such GB1 is applicable. This allows small-scale recreation activity. The area is also part of a Landscape Improvement Area.

**CONCLUSION**

- 12.20 The existing 4 x 4 use does cause inconvenience for adjoining neighbours. However, this use falls within permitted development, as will the use of the novice layout.
- 12.21 Focusing on the engineering works, it is apparent that the trees on site will not be affected and it is concluded that the openness of the green belt will not be undermined.

**RECOMMENDATION**

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

- 1 SC4 Time Limit Full - Standard
- 2 SC36A Hours of Use Restricted:  
The use hereby permitted shall not take place outside the hours of 9.00 to 1800 Monday to Saturday, 10.00 to 16.00 on Sundays.
- 3 There shall be no burning of waste materials on any part of the site containing the development hereby permitted.
- 4 SC43 Amplification Prohibited
- 5 Permission is given for engineering works only and does not allow the site to be used in excess of 14 days per annum - allowed under the general requirement of change of use planning permission.
- 6 Notwithstanding this permission, no consent is given for the removal or lopping, or works to any Preserved trees on site without the prior consent of the Local Planning Authority.
- 7 The submitted planning application drew a red line around a much larger area than the actual application was for. The permission therefore, refers to the development site located towards the centre of the actual site and does not cover the whole of the area within the red outline.

REV

**Relevant Development Plan Policies and Proposals:**

GB1, RC8 of the Rochford District Local Plan First Review

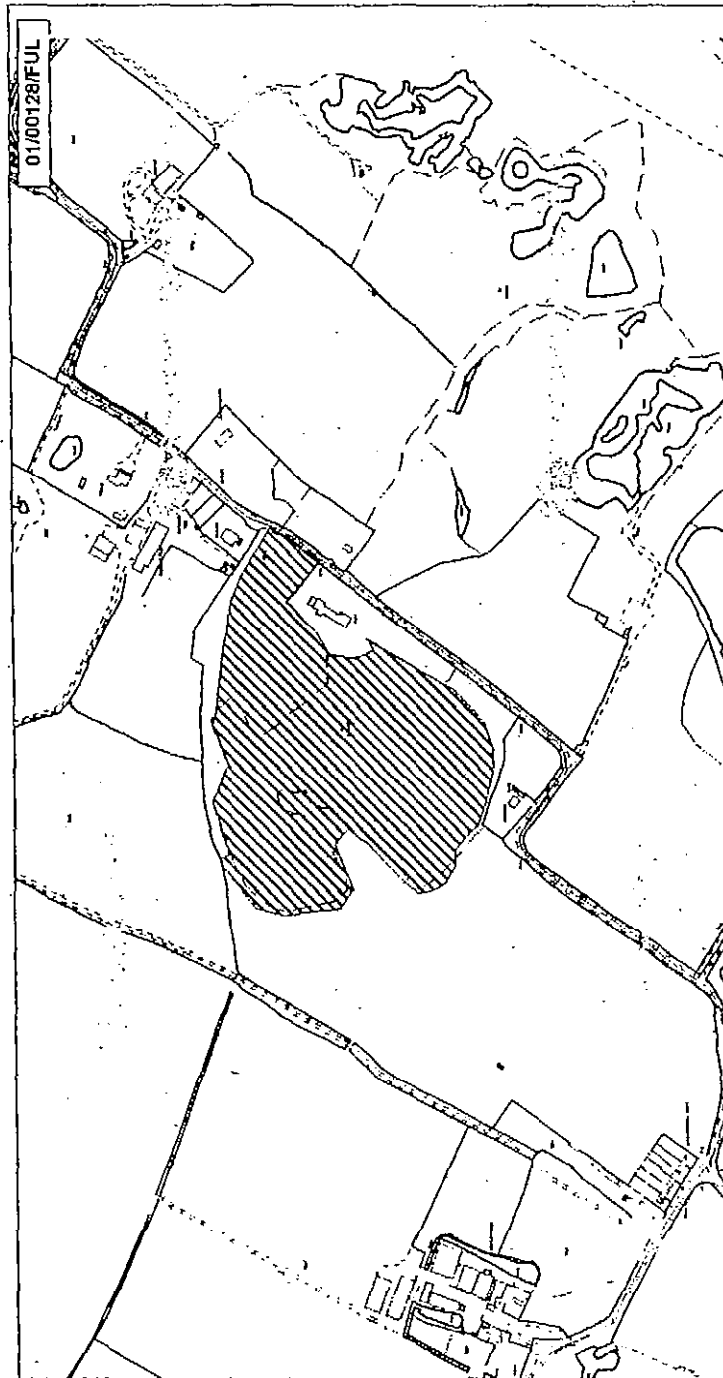
C2, CS2, NR7, LRT3 of the Essex and Southend-on-Sea Replacement Structure Plan

  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member for the above application is Cllr A Hosking

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



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**PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001    Item 13**

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**TITLE :**                    01/00540/FUL  
                              VARIATION OF CONDITION 4 ATTACHED TO PERMISSION  
                              CU/0040/94 TO ALLOW OPERATION OF A HOME DELIVERY  
                              SERVICE (RENEWAL OF 00/00385/FUL)  
                              8 EAST STREET ROCHFORD

**APPLICANT :**            MOHAMMED ASHIK

**ZONING :**                RESIDENTIAL/CONSERVATION AREA

**PARISH:**                ROCHFORD

**WARD:**                 ROCHFORD ROCHE

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**PLANNING APPLICATION DETAILS**

- 13.1 This application proposes the renewal to vary a condition that prevents the sale of food/ or drink for consumption off the premises so that a home delivery service may be operated, with a restriction remaining preventing 'walk in/out' takeaway sales.

**RELEVANT PLANNING HISTORY**

- 13.2 CU/0040/94 Approved. Change of Use for the ground floor of the premises to a restaurant, retaining living accommodation above. Condition 4 stipulates that *'No part of the site shall be used for 'takeaway' services, that is, the sale of food and/ or drink for consumption off the premises'*.
- 13.3 F/0208/96/ROC Refused. Removal of Condition 4. It was considered that the proposal would, if approved, increase short term parking along east Street to the detriment of highway safety, together with an increase in noise and general disturbance to residents to the detriment of the character and amenity of the area as a whole. This decision was upheld by the Inspectorate in dismissing a subsequent appeal.
- 13.4 00/00385/FUL Approved. Variation of Condition 4 to allow operation of Home Delivery Service. A temporary permission of one year was granted.

**CONSULTATIONS AND REPRESENTATIONS**

- 13.5 Rochford Parish Council - objection due to car parking space. There are currently problems in Quys Lane with delivery vehicles blocking the road and preventing pedestrians getting passed.
- 13.6 County Surveyor (Highways) - no objection
- 13.7 County Planner (Archaeology) - No ground-works involved, therefore no recommendation.



- 13.8 County Planner (Historic Conservation) - No physical alteration involved, no observations.
- 13.9 Neighbour Notification - One letter which refers to traffic disturbance from various activities in East Street.

**MATERIAL PLANNING CONSIDERATIONS**

- 13.10 The current home delivery service has had one year in which to operate and during this time there would appear not to have been any particular problems associated with the service.
- 13.11 A neighbour's letter raises concern about traffic issues in East Street, but these would appear to relate to general traffic concerns e.g. buses stopping outside their home and cars parked up on Fridays and Saturdays. By its nature a home delivery service limits the number of vehicles involved and comings and goings from the premises and as such mitigates the concern regarding traffic issues.
- 13.12 Enforcement Officers have received complaints that allege that the premises have operated a 'takeaway' service. Obviously such a service raises broader concerns concerning highway issues. This application does not involve a 'takeaway' service.
- 13.13 The site is located within the Rochford Conservation Area and whereas there are no specific policies within the Local Plan that relates specifically to the proposal, it is considered that the proposal does not conflict with the objectives of the Town Centre and Conservation Area.
- 13.14 There is parking provision for approximately five vehicles within a yard to the rear with access gained via Quys Lane to East Street and the previous temporary consent required one these car parking spaces to be retained available for the home delivery service.
- 13.15 It is considered that the proposed use will not affect parking levels along Quys Lane and that the use will not be to the detriment of highway safety. Sufficient access may be gained along the Lane and an established access already exists that has no restrictions on use from this site to East Street.

**CONCLUSION**

- 13.16 The applicant proposes the continuation of the home delivery service from this site. A clear distinction is drawn between this service and that of a 'take-away' service. The reasons given for the original condition was on the grounds of highway safety and residential amenity, however, this application seeks to vary the condition, not remove it entirely.
- 13.17 Having had a temporary permission for one year and there not being any detrimental affect as a result of that permission it is considered appropriate at this stage to recommend an unlimited time period for the continuation of the home delivery service.

- 13.18 The application of a delivery service is unlikely to effect highway safety or be to the detriment of residential amenity

**RECOMMENDATION**

- 13.19 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following conditions:

- 1 The use hereby permitted shall not be open to customers, nor shall the home delivery service operate outside the hours of 0800 to 23.30 hours Monday to Saturday and 0800 to 2300 hours Sunday.
- 2 The premises shall not be used for the sale of hot food for consumption off the premises, other than the delivery of food by a vehicle operating from the site.
- 3 Space shall be provided within the curtilage of the site for the parking of at least one car or van to be used for the delivery of hot food. Thereafter, such area shall be retained and maintained in the approved form and used for no other purpose which would impede the parking of the car or van.

**Relevant Development Plan Policies and Proposals:**

None.

  
Shaun Scrutton  
Head of Planning Services

The local Ward Member(s) for the above application is/are Ward vacancy

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



01/00540/FUL

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*Handwritten signature or initials.*

**PLANNING SERVICES COMMITTEE - 30<sup>th</sup> August 2001      Item R14**  
**Referred Item**

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**TITLE :**                    01/00481/FUL  
                                 ALTERATIONS TO ROOF INCLUDING RAISING RIDGE, TWO  
                                 STOREY REAR SIDE EXTENSION AND GARAGE  
                                 EXTENSION  
                                 48 CLIFTON ROAD ROCHFORD

**WARD:**                    HAWKWELL EAST

The Chairman to decide whether to admit the following item on grounds of urgency.

This application was included in Weekly List 588 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 28<sup>th</sup> August 2001, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr Mrs H L A Glynn.

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

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**Hawkwell Parish Council – objection.** Over-development and out of keeping with streetscene.

**NOTES**

The proposal seeks permission for relatively substantial alterations to this property.

Clifton Road has a mix of dwelling types and styles with predominantly 2 storey properties. The applicant's site extends to twice the width of many plots in the road. As a result the proposed alterations to enlarge the dwelling are considered acceptable given the scale of the site and the range of styles located within the road. The proposed alterations to the front of the building contribute positively to the streetscene.

In terms of the neighbouring properties the proposal does not include any element that would be detrimental in terms of loss of privacy, over-looking or loss of light. The car parking arrangements on site conforms to policy.

**County Surveyor (Highways) - De-minimis**

**APPROVE**

- 1 SC4Time Limits Full - Standard
- 2 SC14Materials to be Used (Externally)

**Relevant Development Plan Policies and Proposals:**

H11 of the Rochford District Local Plan First Review

  
Shaun Scrutton  
Head of Planning Services

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The local Ward Members for the above application are Cllr Mrs H L A Glynn  
Cllr V H Leach Cllr M G B Starke

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

01/00481/FUL



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1:1250



chairman

date 29th Sept 01