



Rochford District Council

## **SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY**

### **PLANNING SERVICES COMMITTEE 27th September 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.

If you require a copy of this document in larger print, please contact the Planning Administration Section on 01702 – 318098.

**PLANNING SERVICES COMMITTEE 27th September 2001**

**DEFERRED ITEM**

- D1      01/00621/COU                      Kevin Steptoe                      PAGE 4  
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

**REFERRED ITEMS**

- R2      01/00439/COU                      Christopher Board                      PAGE 9  
Change of Use of Existing Building from Class B1  
Use (Office/Light Industrial) to Health and Fitness  
Club  
Greensward House 12 Brook Road Rayleigh
- R3      01/00567/FUL                      Lee Walton                      PAGE 13  
Demolition Of Existing Dwelling And Erection Of  
Detached Four Bed House And Detached Garage  
27 Brays Lane Rochford Essex

**SCHEDULE ITEMS**

- 4      01/00671/FUL                      Christopher Board                      PAGE 16  
Erect Detached 3-Bed Chalet Dwelling with Integral  
Double Garage. Demolish Existing Dwelling (Re-  
submission Following Refusal 01/00217/FUL)  
24 Main Road Hawkwell Hockley
- 5      01/00353/OUT                      Mark Mann                      PAGE 20  
Outline Application To Erect 3- Storey Block Of 14  
One And Two bed Flats With B1 Use At Ground  
Floor. Layout Parking And Amenity Areas (Demolish  
Existing Petrol Filling Station, Workshop ETC).  
111 Ashingdon Road Rochford Essex

- |    |   |                   |         |
|----|---|-------------------|---------|
| 6  | 01/00088/FUL  | Mark Mann         | PAGE 27 |
|    | Free Standing Restaurant With Associated Car<br>Parking, Car Sales Office and Landscaping.<br>Land Adjacent The Gables Service Station A130/<br>London Road Rayleigh  |                   |         |
| 7  | 01/00089/FUL  | Mark Mann         | PAGE 33 |
|    | Free Standing Restaurant with Associated Car<br>Parking, Car Sales Office and Landscaping.<br>Land Adjacent The Gables Service Station A130/<br>London Road Rayleigh  |                   |         |
| 8  | 01/00680/CM   | Christopher Board | PAGE 39 |
|    | Change of Use of Land to Waste Transfer Station<br>Oakwood Yard At Collis Yard Purdeys Industrial<br>Estate Purdeys Way   |                   |         |
| 9  | 01/00188/FUL  | Kevin Steptoe     | PAGE 44 |
|    | Erect 18 Self Contained Elderly Persons Flats with<br>Communal Area in 3 Storey Building. Layout Parking,<br>Alter Access (Demolish Existing Hall Building)<br>Land At Crown Bingo Hall Crown Hill Rayleigh |                   |         |
| 10 | 01/00636/FUL  | Christopher Board | PAGE 53 |
|    | Change of Use of Building to Aircraft Painting<br>Hangar. Addition of Roof 'Tail Bay' Extension<br>Smac Group Aviation Way Southend Airport   |                   |         |

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Deferred Item**

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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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**Deferred Report**

- 1.1 This application was reported to the last Committee as a fast track item but was deferred to await consultations responses.
- 1.2 The period for replies has now elapsed and responses have been added to the report.
- 1.3 The original report, amended to take account of the current position and now seeking a straight approval is set out below.

**PLANNING APPLICATION DETAILS**

- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 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 25 full time equivalent jobs to the site and district.

**PLANNING SERVICES COMMITTEE - 27 September 2001 Item D1  
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**RELEVANT PLANNING HISTORY**

- 1.8 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**

- 1.9 **Rayleigh Town Council** raise no objections or observations.
- 1.10 **Anglian Water** has no objection.
- 1.11 The **Police Crime Reduction Officer** suggests a number of security measures that the operator of the building could adopt. These measures do not have land use implications.
- 1.12 Three occupiers of neighbouring premises have commented on the proposals. One is in the form of objection and raises, in the main, the following:-
- inadequate parking on the site exacerbating an already difficult parking problem on the estate and in surrounding area. Public transport is not available in close proximity.
  - proposals will add to current road safety problems on the estate
  - existing difficulties with access and exit from the estate will be exacerbated
  - signage to estate is poor
  - nature of the estate is being changed from manufacturing/industrial and would have to be re-classified as a business or retail park
- 1.13 The remaining two letters are in support, making the following points:
- alterations will improve area and make it more desirable to business
  - proposals will revitalise an existing building, in common with the re-use of the adjoining building

**MATERIAL PLANNING CONSIDERATIONS**

- 1.14 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.

**PLANNING SERVICES COMMITTEE - 27 September 2001 Item D1**  
**Deferred Item**

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- 1.15 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.
- 1.16 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.
- 1.17 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.
- 1.18 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.
- 1.19 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.
- 1.20 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.

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- 1.21 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.
- 1.22 On the basis of the arguments set out above, that the use of the building should be permitted. If this course of action is acceptable to the Members it could be subject to the inclusion of cyclist parking provision within the scheme.

**CONCLUSION**

- 1.23 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.
- 1.24 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**

- 1.25 It is proposed that this Committee **RESOLVES** to **APPROVE** this application subject to the following heads of condition:
- 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



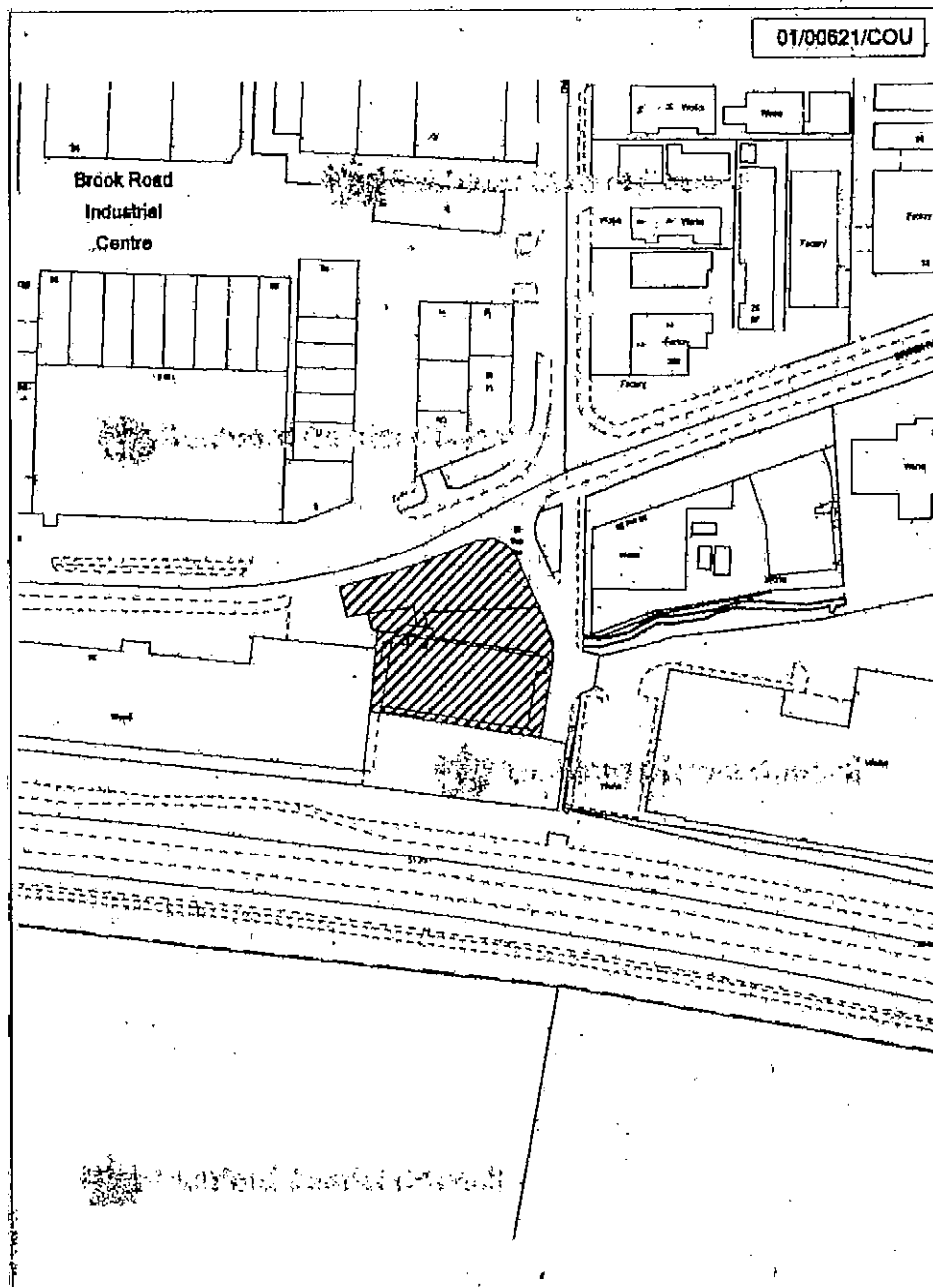
Shaun Scrutton

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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**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item R2  
Referred Item**

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**TITLE:** 01/00439/FUL  
CHANGE OF USE OF EXISTING BUILDING FROM CLASS B1  
USE (OFFICE/LIGHT INDUSTRIAL) TO HEALTH AND  
FITNESS CLUB  
GREENSWARD HOUSE 12 BROOK ROAD RAYLEIGH

**WARD:** WHITEHOUSE

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

This application was included in Weekly List no. 590 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 11<sup>th</sup> September 2001, with any applications being referred to this Meeting of the Committee. The item was referred by Councillor P F A Webster.

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

- 2.1 **Rayleigh Town Council** has no objection to this application.

**NOTES**

- 2.2 This application is for the change of use of existing building from Class B1 Use to Health and Fitness Club. The applicants agent advises that despite extensive marketing at competitive rates, the proposed use is the enquiry despite this vacant site being on the market for sixteen months.
- 2.3 The site is a detached building on the Southern boundary of the Industrial estate, to the rear of the building there is a walled area of gravel – which is proposed to be utilised for car parking. This is accessed from the East side of the building between the proposal building and the neighbouring unit, which appears to be in a poor state of repair. To the front of the building there is further Car Parking available.
- 2.4 Following policy EB2 of the adopted local plan, within an area designated for industrial use, only development within use classes B1, B2 & B8 will be permitted. The proposed use would fall within class D2. Currently there are a number of leisure uses on the estate primarily towards the West entrance of the estate. Following Local Plan policy a D2 use (Leisure) would not be in accordance with policy and would mean the leisure uses are permeating further into – towards the East of the site and the centre of the industrial designated land.

**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item R2  
Referred Item**

- 2.5 Concern has been raised with regard to the rear car parking area. It is clear that the access to this location is not a safe nor desirable means for a publicly available building – in addition the land to which the rear car park is situated, is designated as amenity land within the Local Plan therefore a question remains unanswered as to the lawfulness of this car park.
- 2.6 **Local Plans** advises that within the Rochford District Local Plan First Review, the site lies within an area Primarily for Industrial Use, to which Policy EB2 relates. This policy states that within areas so allocated only uses falling within Classes B1, B2 and B8 will normally be permitted. The question, therefore, is whether there are factors in this case that militate in favour of an exception to this policy. Attention is also drawn to Policy BW1 of the Essex & Southend Replacement Structure Plan.
- 2.7 **Essex County Council (Highways)** recommends that permission be refused for the following reason: The access to the car park at the rear is so narrow that there is no possibility of vehicles passing each other and no inter-visibility between vehicles entering and leaving the site. This could lead to vehicles reversing and/or parking on the highway causing a danger to other highway users and to the detriment of general highway safety.
- 2.8 **Essex County Council (Environmental Services)** comment that uncertainty has arisen over the boundary of private ownership and Highway maintainable land. I consequently visited the highway record office who have confirmed that it would appear that the southern boundary of the application site (as shown on the 1:1250 scale plan) encroaches upon highway maintainable land.
- 2.9 In respect to the trees situated on Highway maintainable land, a group of semi-mature Oak, Hornbeam, Ash and Hazel trees provide valuable screen to the highway and the buildings on Brook Road. The proposed development appears to have little impact on these trees and a condition is recommended to be attached if any permission is forthcoming.
- 2.10 **Environment Agency** has no comment to the proposal as submitted.
- 2.11 **Anglian Water** has no objection subject to conditions.
- 2.12 **Castle Point Borough Council** have no objection to the proposal.
- 2.13 **Crime Prevention Officer (Essex Police)** has suggested recommendations to aid crime prevention measures.
- 2.14 **Rayleigh Civic Society** comment that the site is within the Brook Road Industrial Estate and we would therefore prefer to see such premises used for industrial or office purposes so that the number of employees is maximised. However a precedent has already been set with regard to the Warehouse centre and the karting circuit on this estate which are non-industrial enterprises. This change of use would therefore be difficult to oppose and we would therefore assume the application would be approved.

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Referred Item**

- 2.15 Neighbour Objection has been received from one local business outlining concerns for parking and traffic facilities in the location, signage to the estate, security and criminal activity and the use classes allowed, turning the estate away from its industrial designation.

**REFUSE**

- 1 Within policy EB2 of the adopted Local Plan First Review the building and the majority of the site subject of this application are designated as industrial land. Policy BIW1 of the Essex and Southend Replacement Structure Plan reinforces this point with respect to Employment Land Provision. As such the proposed use is not in accordance with adopted policy and land designation, thus leading to a proliferation of non-industrial uses and loss of designated industrial land; Furthermore part of the site is zoned within the Rochford District Local Plan as Amenity Space providing landscape screening between the industrial estate and the A127.
- 2 The access to the car park at the rear is so narrow that there is no possibility of vehicles passing each other and no inter-visibility between vehicles entering and leaving the site. This could lead to vehicles reversing and/or parking on the highway causing a danger to other highway users to the detriment of general highway safety.

**Relevant Development Plan Policies and Proposals:**

EB2, EB4 of the Rochford District Local Plan First Review

BIW1, BIW2 of the Essex and Southend-on-Sea Replacement Structure Plan

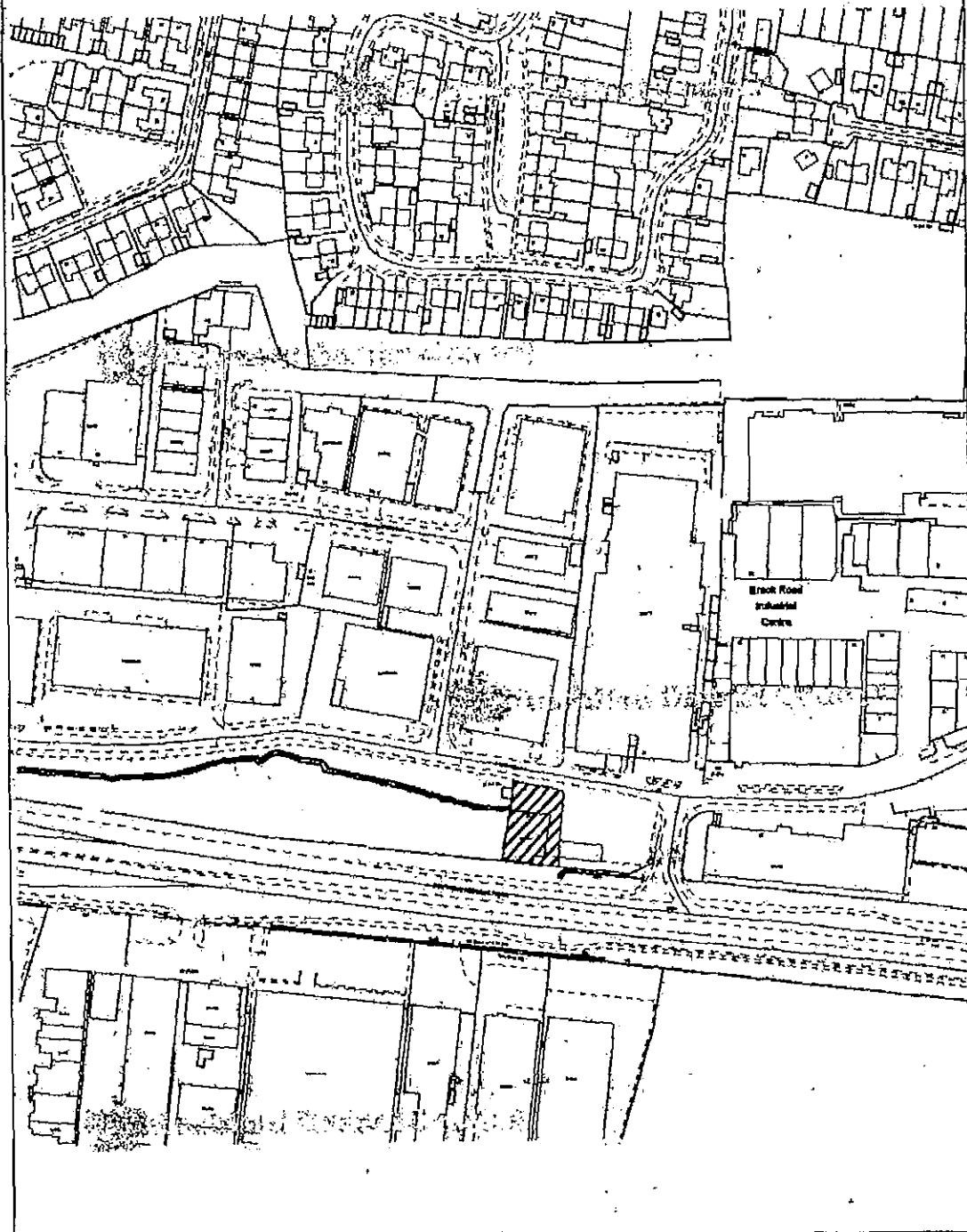
  
Shaun Scrutton  
Head of Planning Services

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

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

01/00439/FUL



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**PLANNING SERVICES COMMITTEE - 27 September 2001    Item R3  
Referred Item**

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**TITLE :**                    01/00567/FUL  
                              DEMOLITION OF EXISTING DWELLING AND ERECTION OF  
                              DETACHED FOUR BED HOUSE AND DETACHED GARAGE  
                              27 BRAYS LANE ROCHFORD

**WARD:**                    ASHINGDON

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

This application was included in Weekly List no. 591 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 18<sup>th</sup> September 2001, with any applications being referred to this Meeting of the Committee. The item was referred by Councillor Mrs J Hall.

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

- 3.1 **Ashingdon Parish Council** – No objection, but suggest the new building be set and levelled against the existing building line.

**NOTES**

- 3.2 The applicant seeks permission for the replacement of the existing bungalow with a two-storey house and detached garage.
- 3.3 The proposal is to re-site the dwelling rearward into the site so that its front face is positioned broadly in line with the adjoining dwelling (number 25). There are trees and hedging along the sites eastern boundary which separates the property from number 29.
- 3.4 The existing dwelling sits forward to the road compared with its neighbours. Its removal and repositioning of the dwelling gives greater light and outlook at the front for number 25 although its proposed position and two storey nature will cause greater invasion of their (number 25) privacy, which at the present time appears to be total. Nevertheless, the primary cause for this loss is the fact that the proposal is for a two-storey dwelling, which by their nature cause some overlooking. A re-designed proposal would be unlikely to overcome this issue, other than, of course, a proposal for a bungalow with no habitable accommodation in its roof space. Such a proposal would be unreasonable to expect. A mitigating factor is that the rear elevation stands further out in to the back garden than number 25's rear elevation, and number 25 also has a conservatory nearest to the applicant's site. The effect is to safeguard the immediate area to the rear of the neighbour's dwelling.

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**Referred Item**

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- 3.5 Local Plan policies have been met with a 1 metre separation from the boundary. Garden area and car parking provision is satisfactory.
- 3.6 The siting of the double garage to the front of the property does not present any concern with regard to street scene. The broad green wedge along the property's eastern boundary acts as a terminus in the street scene, and the garage's flank wall nearest to the road stands on the existing front wall belong to the existing bungalow. It is possible to visualise with greater certainty the impact this part of the scheme would have on the road.
- 3.7 There are no significant window openings to the side of number 25 that would be affected by the proposal.
- 3.8 There has been one neighbour letter of objection, the development will affect light and air and will be a few feet from our property, with the resultant loss of privacy.
- 3.9 **Environment Agency - Advisory comments, County Surveyor (Highways) -** conditions to be attached.

**APPROVE:**

- 1 SC4 Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC86 Pedestrian Visibility Splays (Single)
- 4 SC10 Removal of Buildings (Marked 'D')

**Relevant Development Plan Policies and Proposals:**

H11, of the Rochford District Council Local Plan First Review

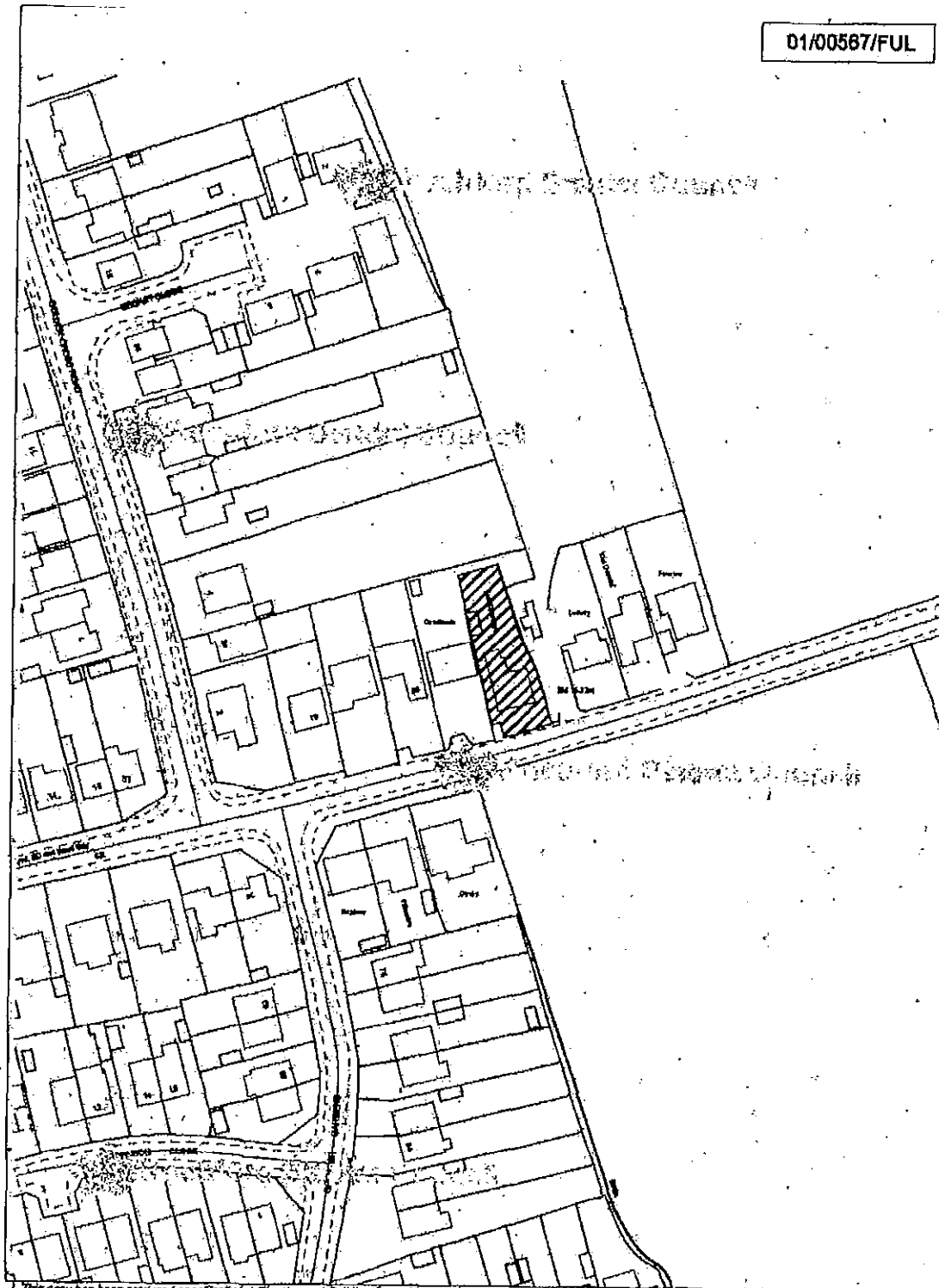
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application are Cllr Mrs J Hall Cllr T G Cutmore

For further information please contact Lee Walton on (01702) 548366.

01/00587/FUL



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**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item 4**

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**TITLE :** 01/00671/FUL  
ERECT DETACHED 3-BED CHALET DWELLING WITH  
INTERGRAL DOUBLE GARAGE. DEMOLISH EXISTING  
DWELLING (RE - SUBMISSION FOLLOWING REFUSAL  
01/00217/FUL)  
24 MAIN ROAD HAWKWELL, HOCKLEY

**APPLICANT :** MR D ROSS

**ZONING :** METROPOLITAN GREEN BELT

**PARISH:** HAWKWELL PARISH COUNCIL

**WARD:** HAWKWELL WEST

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**PLANNING APPLICATION DETAILS**

- 4.1 This application is for the erection of a detached 3 – Bed Chalet with integral double garage following demolition of existing development. The application is a re-submission following a previous refusal of 01/00217/FUL.

**RELEVANT PLANNING HISTORY**

- 4.2 The previous application on this site (01/00217/FUL) was for a 4-bedroom detached house with detached double garage. Members may recall that this application was recommended for approval and refused at the May Committee for reasons including size, scale and relationship with the surrounding location. The previous application is currently subject of an appeal to be determined by informal hearing (set for October 2<sup>nd</sup>); with the Inspectors' statement of decision expected November 2001. If members were minded to approve the current proposal, there may be some bearing on the outcome of the pending appeal.

**CONSULTATIONS AND REPRESENTATIONS**

- 4.3 **Buildings & Technical Support (Engineering)** Have no observations on this application.
- 4.4 **Environment Agency** has advisory comments on this application.
- 4.5 **Anglian Water** has no objections to raise in principle.
- 4.6 **Rochford Hundred Amenities Society** have no objection provided extension in size conforms with council policy for the green belt. This is not part of the rural hamlet known as "Nursery Corner" but much nearer to the Hawkwell Boundary with Rochford.



## PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item 4

- 4.7 Hawkwell Parish Council objects to this revised application as it still exceeds the permitted increase in size within the Green Belt notation and is contrary to GB Policy for rebuilding. Objection also to loss of conifers on boundary of property.

### MATERIAL PLANNING CONSIDERATIONS

- 4.8 This site falls in the designated Metropolitan Green Belt, whilst under Local Plan Policy GB2 is also within a designated Rural Settlement Area, thereby normal residential development rules are applied. Within this context, the development is not restricted to the Green Belt limitation of 35 square metres. The surrounding location has a variety of mixed development including houses, chalets and bungalows. The neighbouring property of number 22 is a bungalow that has received large dormers to the front and rear with a single storey rear extension.
- 4.9 This application looks to address members concerns from 01/00217 and comply with the decision notice as issued. The revised chalet design is a reduction in scale to create less significant detrimental impact on the surrounding location. The previous refused application was for a two storey house design with a ridge height of 8.5 metres, the current application has been taken to only a 7 metre ridge height, modest in comparison. Together with modest dormer windows the overall impact of the dwelling in the street scene is significantly less than the previous proposal.
- 4.10 In addition, the garage has been omitted to the front boundary and been included within the property design as a part-integral/front extension; thereby addressing the issues as raised in the decision notice. The offset from this is that development now occupies a larger overall footprint on the ground. This situation is common with other bungalows and chalet style designs.
- 4.11 The increased footprint raises concern with respect to the neighbouring property of number 22. However the development proposed for this elevation is all single storey with pitched roof, maintaining a separation of 1.8 metres between property and site boundary, in addition – the adjoining property has no primary windows that will experience detrimental impact at first floor level.

### CONCLUSION

- 4.12 This application represents a significant reduction in the overall scale and impact of development in comparison with the previously refused application. The current proposal does have a proportion of single storey development located towards the boundary with number 22, given the separation of 1.8 metres and the single storey development this will be acceptable in this location. When considering the development in terms of the character of the green belt this development will by virtue of its reduced overall ridge height have a reduced impact compared to that of the previous. The elevation facing number 22 should be conditioned to include no additional openings at first floor level.

**RECOMMENDATION**

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

- 1 SC4 Time Limits Full
- 2 SC9A Removal of Building
- 3 SC14 Materials to be Used
- 4 PD Restricted First Floor Development (East Elevation)

**Relevant Development Plan Policies and Proposals**

H11, GB2 of the Rochford District Local Plan First Review

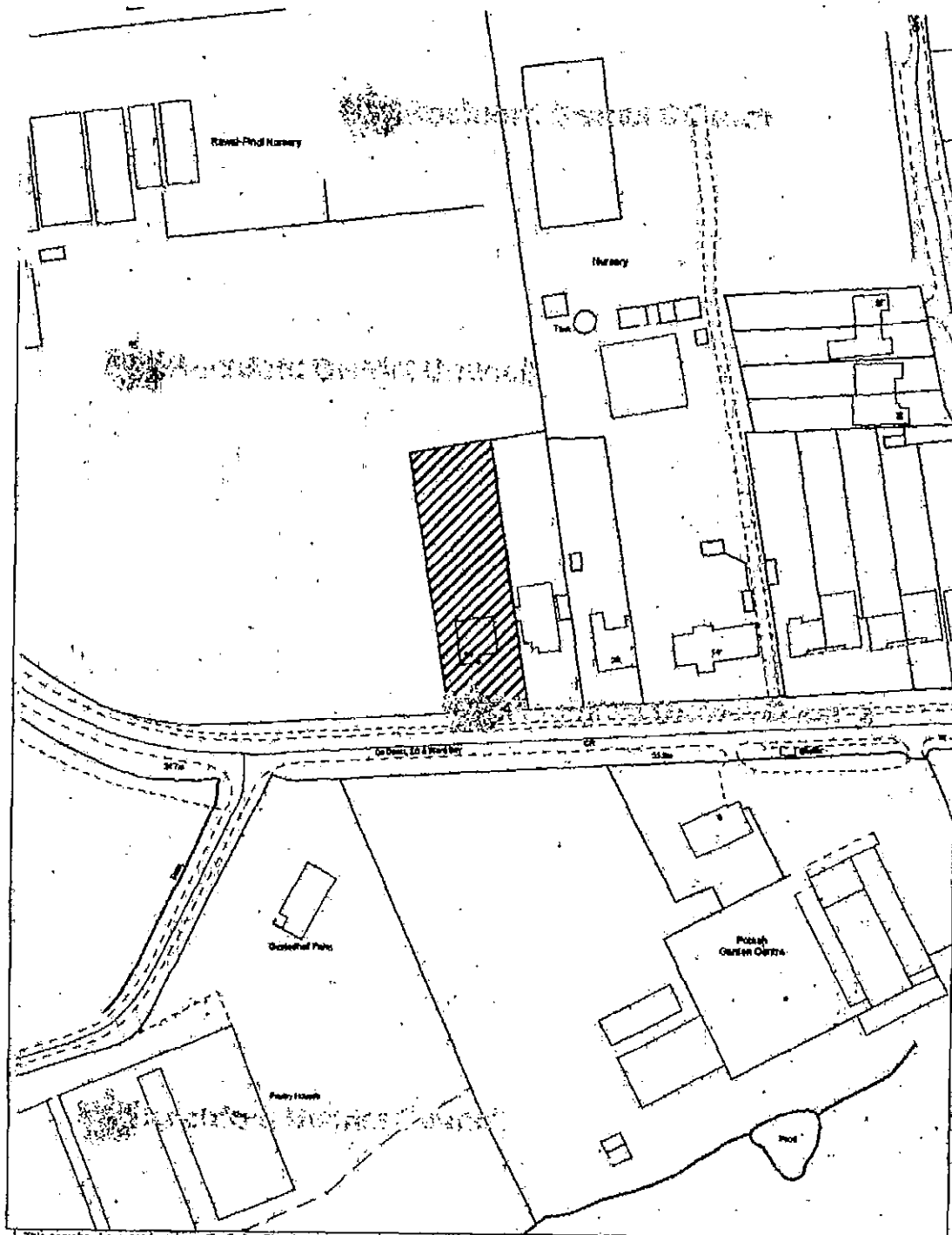
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Members for the above application are Cllr Mrs M A Weir. Cllr J R F Mason.

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

01/00671/FUL



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**PLANNING SERVICES COMMITTEE - 27 September 2001 Item 5**

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**TITLE :** 01/00353/OUT  
OUTLINE APPLICATION TO ERECT 3 STOREY BLOCK OF  
13 ONE AND TWO BEDROOM FLATS WITH B1 USE AT  
GROUND FLOOR. LAYOUT, PARKING AND AMENITY  
AREAS (DEMOLISH EXISTING PETROL FILLING STATION,  
WORKSHOP ETC.)  
111 ASHINGDON ROAD, ROCHFORD

**APPLICANT :** MRS E VAUGHAN

**ZONING :** EXISTING INDUSTRY

**PARISH:** HAWKWELL

**WARD:** HAKWELL EAST

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**PLANNING APPLICATION DETAILS**

- 5.1 The applicant seeks outline planning permission for the erection of a part three-storey and part two-storey block of 13 one and two bedroom flats, with B1 Use (light industrial, offices, R&D etc) at ground floor level. The existing petrol filling station, workshop etc. would be demolished.
- 5.2 The site is situated on Ashingdon Road at its junction with Leecon Way and is presently designated as employment land. An industrial area sits back from the junction. The building would occupy the corner of the site at the junction of Ashingdon Road and Leecon Way. To the rear would be a car parking/servicing area and this would be accessed off Leecon Way underneath the first floor of the proposed development and to the side would be an amenity area. The plans show this area is to be planted with trees and this would continue the line of trees on this side of the road which would add to the street scene.
- 5.3 The proposal seeks to abandon all access from Ashingdon Road, replacing this with access from Leecon Way.
- 5.4 Being an outline application the only items for consideration are the siting and means of access of the proposal. Matters such as design and external appearance will be dealt with at a later stage should this application be successful. Nevertheless, the applicant has provided a number of indicative detailed drawings of the proposal to assist the consideration of this application.

**RELEVANT PLANNING HISTORY**

- 6.5 104/51 Approved. Erection of printing factory
- 5.6 ROC/283/54 approved. Remove barn and erect garage, workshop and filling station.

## **PLANNING SERVICES COMMITTEE - 27 September 2001 Item 5**

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- 5.7 **ROC/562/60** Approved. Erection of petrol/ filling station and showroom.
- 5.8 **ROC/579/65** Approved. Erection of car showroom, office and toilet.
- 5.9 **ROC/14/68** Approved. Erection of an illuminated pole sign - permission for five years.
- 5.10 **ROC/195/72** Approved. OA extend and divide existing industrial building to form two units.
- 5.11 **ROC/1023/73** Approved. Provide a covered way for clearing timber.
- 5.12 **ROC/333/81** Approved. Café for sale of hot drinks and snacks.
- 5.13 **ROC/364/83** Approved. New canopy and forecourt additions.
- 5.14 **ROC/30/2/88AD** Withdrawn. Internally illuminated sign.
- 5.15 **ROC/470/88** Approved. Two underground storage tanks
- 5.16 **ROC/80/89** Refused on the grounds of overdevelopment and lack of car parking. Outline application to erect two flats with amenity area over existing workshop and showroom
- 5.17 **ROC/620/97** Approved. Display illuminated and non-illuminated forecourt adverts.

### **CONSULTATIONS AND REPRESENTATIONS**

- 5.18 **Hawkwell Parish Council** - Objection. A three-storey building is out of keeping with the streetscene, the site is adjacent to a listed building. The proposal would set a precedent for other sites in the vicinity.
- 5.19 **County Surveyor (Highways)** - Raises no objection subject to attaching planning conditions. However, they also wish to enter into a legal agreement with the developer and this would relate to the developer contributing £15,000 for off site works relating to the proposed cycle route on Ashingdon Road.
- 5.20 **County Planner (Environmental Services)** - The general layout appears satisfactory providing suitable enclosing boundary treatment to Ashingdon Road can be achieved to make the amenity space as private as possible. A three-storey building, in this location, would not relate to the suburban form of Ashingdon Road. The Two-storey element would benefit from additional fenestration at first floor and ground levels.
- 5.21 **Buildings and technical Support (Engineering)** - no observations
- 5.22 **Housing, Health and Community Care** - There is potential for residents of this proposed development to be adversely affected by noise and disturbance arising from the commercial use of the ground floor. Conditions recommended to be attached to any permission.

## PLANNING SERVICES COMMITTEE - 27 September 2001 Item 5

- 5.23 **Local Plans** - In terms of sustainability, this site is well located to serve the local work force and is also reasonably well located on the road network. The District appears to have 2 ha. of employment land 'in hand' but its loss should still be contemplated with considerable caution.
- 5.24 **Anglian Water** - no objection in principle subject to attachment of conditions.
- 5.25 **Rochford Hundred Amenities Society** - Considerable over-development resulting in an unacceptable number of vehicles, which must emerge onto the already overcrowded Ashingdon Road. It is felt that the present garage and shop serve a vital purpose in the local area.
- 5.26 **Neighbour Notification letters** - There has been two letter from neighbours concerned about type of residential accommodation, scale, excessive number of flats, B1 use would increase the traffic on an already busy road, shops already under used, impact on listed building.

### MATERIAL PLANNING CONSIDERATIONS

- 5.27 **Policy H18 (Purpose Built Flats)** is the most relevant Local Plan policy along with appendix 1 and 2 and Policy EB2 which, seeks to safeguard areas for B1, B2 and B8 uses. In addition, PPG3 on Housing which seeks to provide a range of housing types appropriate to local needs in an efficient and sustainable way, is also relevant.
- 5.28 **Principle**  
As this application is in outline, it is just the principle of whether or not the proposal is acceptable or not, i.e. whether a three storey block of 13 flats with a ground floor B1 use meets the requirements of national and local policy. Although details of the buildings external appearance and design have been submitted, these are just for illustrative purposes giving an indication of what form such a development could take and have been submitted to aid the consideration of this application. Such details as the external appearance etc., will be the subject of a future application should the current application be approved.
- 5.29 **Street Scene.**  
This part of Ashingdon Road does not have any three-storey buildings within it. However, to the west within the matchbox estate are number of three-storey flats and to the north, on Ashingdon Road, there are three-storey buildings at Golden Cross Parade. Bearing in mind the fact that Ashingdon Road is major road and that at this point there is quite a large distance between the buildings on either side of the road, it is considered that a three-storey building can be accommodated in this location in principle.
- 5.30 **Nevertheless, bearing in mind this an outline application, the scale of the building could be reduced with the second floor accommodation in the form of dormers which would reduce the mass of roof space. This would help to break down the roof pitches, encouraging and focusing attention in to the detailed finished result, required to produce a welcome 'feature' in to the street scene. This aspect would be dealt with fully at the reserved matters stage.**

5.31 **Areas of concern.**

Although in outline the indicative plans submitted did illustrate a number of potential shortcomings which needed to be addressed at this stage. These were:

- The original submitted plans showed there to be a shortfall in the proposed amenity space and parking provision. This suggested that the applicant was cramming the site, with a shortfall of approximately 32 square metres in amenity area and of seven parking spaces when compared with the current parking standards. It is recognised that the site is situated on a main transport route and fairly close to the town centre and station, but attention is still required so that the proposal does not over-develop the site.
- The proposed building very close to the highway, projecting beyond the building line, which means that it would be seen for quite a distance along Ashington Road. This would look rather incongruous bearing in mind the design and the three-storey element shown in the drawings accompanying the application.
- Concern was also expressed about the means by which the business use on the ground floor will be serviced. The only means of servicing the ground floor unit was via a lay-by on Leecon Way. This is not ideal.
- To the south of the site the road is lined by trees, the extension of tree cover northwards as detailed on the plans would improve the street scene and would provide a useful break between the proposed building and the nearby listed building to the south of the site. With a high wall to enclose it, the proposed amenity space would be both useful and attractive for residents and passer-bys alike. However, it is not well related to the access of the flats and as such may not prove so useful to the residents of the proposed flats.

5.32 Although, the plans submitted are just indicative, it was considered that in order to prove the principle of the development, the above concerns needed to be addressed. To this end discussions have taken place with the applicants agent and revised indicative plans have now been received. These show a similar sort of building but the only flat on the ground floor has been removed, reducing the total number of flats to 13 and the servicing and parking areas have been revised to take on board the concerns raised by officers. Additionally, the building has been moved back from the Ashington Road frontage so that it is not so far forward of the existing buildings along this frontage and this would make it less prominent. However, it would still help to mask the rather unattractive industrial buildings to the rear of the site.

5.33 The proposal will now provide a total of 21 car parking spaces plus a proposed layby in Leecon Way. Adequate servicing of the ground floor unit is provided at the rear of the buildings, together with the parking for the flats. This parking provision is in line with both national (PPG3) and Essex County Council standards but falls short of the Authorities current standards. However, bearing in mind the above and the location of the development, the car parking is considered acceptable. In addition to the car parking provision, secure cycle parking facilities are shown on the plans and again this reflects national and regional standards.

## PLANNING SERVICES COMMITTEE - 27 September 2001 Item 5

- 5.34 The amenity space is still shown to be well away from the entrance of the flats and this is still not considered ideal. However, the plans do prove that sufficient space can be provided within the site and in a good location in terms of the quality of the space and its contribution to the street scene. The applicant's agent considers that re-locating the entrance nearer to the amenity space would require a complete redesign of the building and, as the drawings are for indicative purposes only, this could be dealt with at the reserved-matters stage.
- 5.35 **The Use**  
The use of the site for housing is not strictly in accordance with the provisions of the development plan as it should be solely for Class B1, B2 or B8 uses. However, bearing in mind that the proposal will provide 200 sq. m of B1 use on the ground floor and that a large proportion of the site is currently used as A1/petrol filling station, it is not considered significant in respect of the consideration of this application. However, the relationship with the existing industrial uses is of concern and to this extent the building has been sited on the western boundary away from these uses as is the proposed amenity area. The area closest to the adjacent industrial unit is to be used as the parking area and this will act as a buffer between the two uses. Nevertheless, it is proposed that a condition be attached to the outline permission requiring a suitable means of enclosure be provided along this boundary to safeguard the amenities of the occupiers of the proposed flats.
- 5.36 The proposed B1 use on the ground is considered appropriate bearing in mind the site's existing use and being a B1 use it should not have any adverse effects on the occupiers of the flats above. In fact it is hoped that some of the occupiers of the flats above would work in the unit below, thus achieving a very sustainable form of development.

### CONCLUSION

- 5.37 The principle of a three-storey building on this site is considered acceptable. The advantages of redeveloping this site can be seen from the potential to enhance the street scene and help mask the industrial estate to the rear of the site. The indicative plans as submitted by the applicant indicate that in principle a three-storey building is acceptable in this location subject to certain conditions.
- 5.38 The mixture of B1 use on the ground floor with flats above is considered acceptable (the definition of a B1 use is that it can take place within a residential area without detriment to the amenity of the area). And with its cycle parking provision, its proximity to the railway station, and the potential for some of the occupiers of the flats to actually work within the B1 unit, gives the proposal the potential for being a very sustainable form of development which ought to be encouraged.
- 5.39 With respect to the requirements by Essex County Council Highways for a contribution of £15,000, this is not considered by the Agent to be directly related to the development and he considers that it cannot be justified.



**PLANNING SERVICES COMMITTEE - 27 September 2001 Item 5**

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**RECOMMENDATION**

5.40 It is proposed that this Committee **RESOLVES** to **GRANT OUTLINE** planning permission subject to the following conditions:

- 1 SC2 Reserved Matters (including design, external appearance, landscaping and revised details of access)
- 2 SC3 Time Limits Outline
- 3 SC8 Use and Building Removed
- 4 SC51 Enclosure/Screening Details.
- 5 The existing accesses onto Ashington Road shall be closed off before the development is first used in accordance with a scheme to be submitted to and approved by the Local Planning Authority.
- 6 SC87 Contaminated Land
- 7 SC41 Hours of Deliveries
- 8 SC38 Hours open to customers.

**Relevant Development Plan Policies and Proposals:**

H16 EB2 of the Rochford District Local Plan First Review

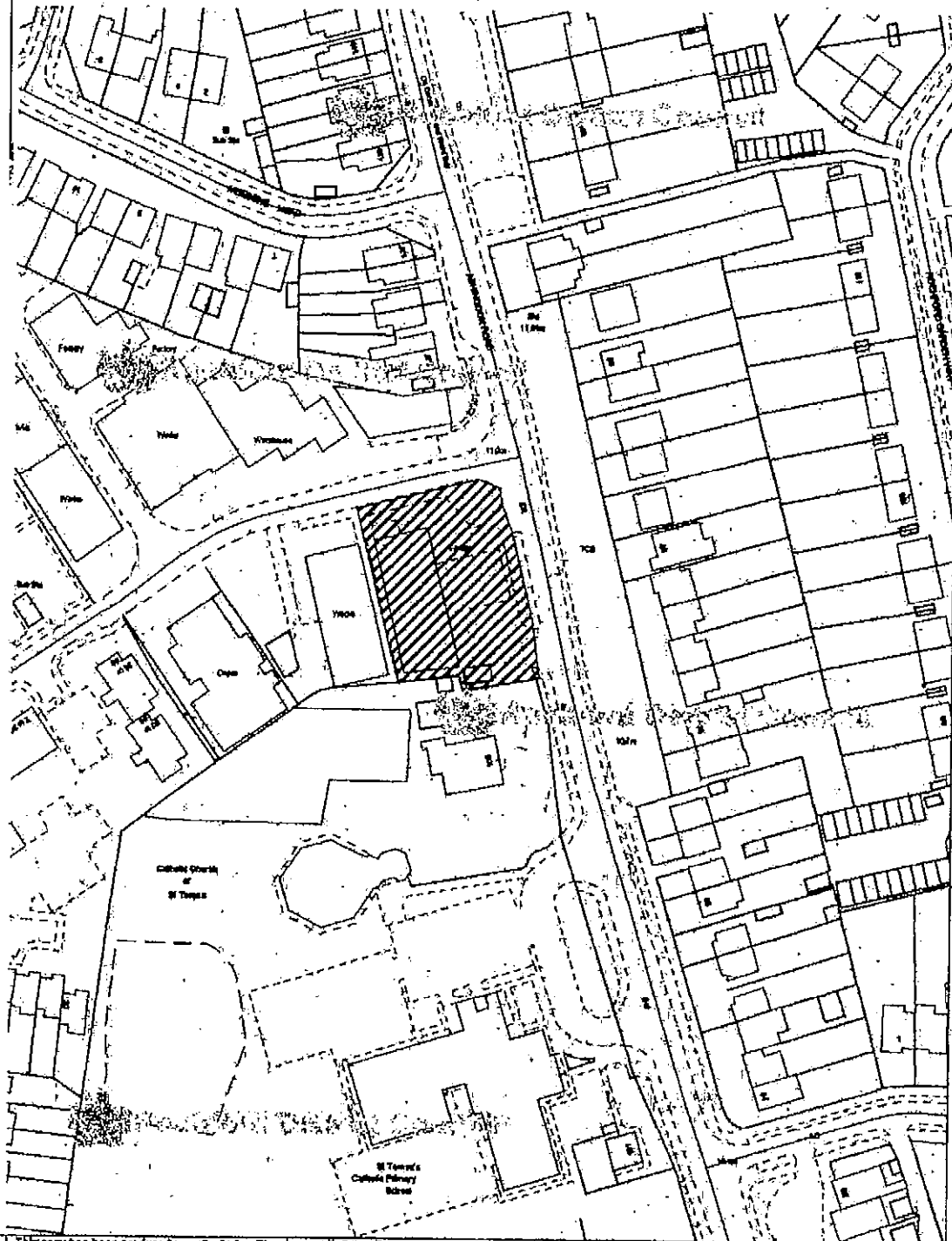
  
Shaun Scrutton  
Head of Planning Services

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

For further information please contact Mark Q Mann on (01702) 546386.

01/00353/OUT



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TITLE : 01/00088/FUL  
ERECTION OF A RESTAURANT (CLASS A3),  
ALTERATIONS TO ACCESS AND PROVISION OF PARKING  
AREA, AND THE USE OF LAND FOR MOTOR SALES AND  
THE ERECTION OF AN OFFICE  
LAND AT LONDON ROAD/A130, RAYLEIGH

APPLICANT : MCDONALDS RESTAURANTS LTD.

ZONING : METROPOLITAN GREEN BELT

PARISH: RAWRETH

WARD: GRANGE AND RAWRETH

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#### PLANNING APPLICATION DETAILS

- 6.1 This is the first of two identical applications in respect of the above. Both applications relate to the demolition of the existing petrol filling station (currently used for car sales), workshop and offices at the Murco Service Station; and the demolition of the buildings on the adjacent site of Kia Ora. It is then proposed to replace them with a single storey McDonalds restaurant and 'drive-through' on the Murco site and a car sales area and small office building on the Kia Ora site.
- 6.2 The proposed McDonalds will be constructed out of facing brick with a pitched tiled roof and the building will be set well back into the site with the car parking in front of this. Around the periphery of the site it is proposed to carry out extensive landscaping.
- 6.3 Access to the site will be via the A129 with the exit onto the A130. The access on the A129 is to be shared with the proposed car sales area on the site of the former dwelling known as Kia Ora. This will also have an exit onto the A129. The layout of the scheme is such that access from the McDonalds site cannot be achieved onto the A129.
- 6.4 The car sales area is on land currently occupied by the property Kia Ora which currently is the subject of a Planning Contravention Notice for use of the site for car sales as well as the erection of some buildings. All the buildings on this site will be removed and the site will be laid out as a car sales area, with a small office in the centre of the site built out of brick with a tiled roof.

#### RELEVANT PLANNING HISTORY

- 6.5 The site comprises two distinct planning units, namely the Murco Service Station site and Kia Ora. Currently it would appear that both sites are used by the same business primarily for car sales.

**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item 6**

Murco Site

- 6.6 **ROC/00276/67** Planning permission granted for new workshop and canopy.  
**ROC/00003/78**. Planning permission granted for use of site for the sale of new and used cars.

Kia Ora Site

- 6.7 **ROC/00206/61** Planning permission was granted for the erection of a spray shed at the rear of 'Kia Ora Garage'.  
**ROC/00403/72**. Planning permission granted for the demolition of outbuildings and alterations and additions to form a bathroom, kitchen and rooms in the roof. Current use of the site was stated as dwelling house on the form.  
**ROC/00070/90**. Planning permission for the erection of a car show room and workshop was refused.  
**ROC/00258/91**. Planning permission for workshop and car sales area refused on the grounds of Green Belt policy. Appeal dismissed.
- 6.8 **Enforcement History.**  
In 1984 two enforcement notices were served in respect of the land immediately west of the Kia Ora site and which is included within the current application site. The first related to the use of the land for the storage, valeting, display and sale of motor vehicles and the second related to the erection of a building. Both were appealed against but the appeals were dismissed. Both were considered to be contrary to Green Belt policy.
- 6.9 In 2000 the Council issued a Planning Contravention Notice in respect of an alleged breach of planning control in respect of Kia Ora and the surrounding land relating to unauthorised storage, display and sale of vehicles, the erection of buildings and the use of Kia Ora, a dwelling, as offices. This is currently being pursued by the Council's Enforcement Team.

**CONSULTATIONS AND REPRESENTATIONS**

- 6.10 **Rawreth Parish Council.** Question the need for a McDonalds on this site with virtually no local demand. Concerned about access to the site and the impact on traffic congestion at the roundabout and the potential for accidents.
- 6.11 **Essex County Council Highways.** Raises no objection to the proposal as detailed in the revised plans subject to the developer entering into a legal agreement covering certain highway works such as the provision bus stops etc.
- 6.12 **Head of Housing, Health & Community Care.** No objections raised but suggest certain conditions particularly relating to the removal of the petrol tanks etc.
- 6.13 **Anglian Water.** Point out that there are no known public sewers close by and suggest a condition requiring the submission of details of the drainage before development commences.

- 6.14 **Essex County Planning** - No comments.
- 6.15 **Rayleigh Civic Society.** Concerned about the access arrangements which they consider to be totally inadequate. Suggest alterations to the arrangements possibly with the provision of an access on the A130 south of the roundabout.
- 6.16 **Neighbour Consultation.** One letter objecting to the proposal on the grounds of it being within the Green Belt, unsightly illumination, road safety, litter, and on the grounds that there already enough fast food outlets in the area.

**MATERIAL PLANNING CONSIDERATIONS**

- 6.17 The material consideration are whether or not the proposal complies with Green Belt policy and whether the impact of the proposal will have any adverse impacts in terms of highway safety.
- 6.18 The erection of a restaurant and the use of land for the sale of cars is quite clearly contrary to Green Belt policy. Such development is considered to be inappropriate and therefore by definition, harmful to the Green Belt and should therefore be refused. The only exception to this, is if very special circumstances can be proved. To do this the harm to the Green Belt and any other harm has to be clearly outweighed by other considerations, i.e. the benefits that will arise by allowing the development.
- 6.19 **The proposed McDonalds.**  
The site of the proposed McDonalds is currently occupied by the remnants of the petrol filling station, which is currently used for car sales. The buildings are very substantial in nature and the canopy, being quite high, certainly affects the open character of the Green Belt in this location. The total amount of floor space of the canopy amounts to 304 sq. metres and the workshop building 189 sq. metres, giving a total of 493 sq. metres. The proposed restaurant is 326 sq. metres with an enclosed refuse yard of 77 sq. metres, a total of 403 sq. metres.
- 6.20 The proposed building will be quite different from what is there at the moment being constructed out of facing brick with a pitched tiled half-roof around the sides of the building. This will be very much lower than the existing canopy and although only a half roof it will give the impression of a full pitched roof and is therefore considered more attractive. It will therefore have less of an impact than the existing.
- 6.21 Additionally, with the proposed landscaping around the site the proposal will be an improvement over the existing situation with its combination of buildings and cars displayed throughout the site.
- 6.22 With respect to the highway considerations a Traffic Impact Assessment was undertaken by the applicants. Initial advice from Essex County Council Highways was that they had concerns regarding the access to the site and the impact it would have on traffic flows and highway safety. However, following extensive negotiations between Essex County Council Highways, the applicant and officers from this Authority, the access arrangements to the site have been altered and there are no highway objections to the proposal from Essex County Council Highways.

- 6.23 The proposed Car Sales Area & Office.  
At the moment there is the dwellinghouse of Kia Ora which has been until recently used as an office; an outbuilding in what was the rear garden of the property; and the rest of the site is primarily used for the display and sale of motor vehicles.
- 6.24 The authorised use of the premises is somewhat different and as the enforcement action referred to above indicates, this should be in the form of a dwelling with a residential curtilage/garden area. However, the applicants indicate that its use as a dwellinghouse ceased in 1988 and was used as offices. If this is the case and there is sufficient evidence to support it, an application for a Lawful Development Certificate may be appropriate. In any case the change of use of existing buildings within the Green Belt is normally acceptable.
- 6.25 Whilst the proposed use of the site and erection of an office building seems quite reasonable compared to the existing use, and could therefore be considered as very special circumstances, it does not seem at all reasonable when compared with the lawful use of the site. Although the site has at one time been used as a commercial garage, that use seems to have been abandoned by 1972 when permission was granted for extensions to a dwelling house. Since then various applications/enforcement cases refer to the property as being residential. The use of a residential garden for the sale and display of motor vehicles and all the paraphernalia associated with such uses, will be very different in character and will adversely affect the open character of the Green Belt.
- 6.26 The removal of the property known as Kia Ora and its replacement with a much smaller office building is welcomed to some extent as it will reduce the amount of buildings in the area. However, this would open up the whole site when viewed from A129, and the site of a used car lot will not contribute to the amenities of the area or to the openness of the Green Belt.

#### CONCLUSION

- 6.27 On balance it is considered that the replacement of the existing garage buildings with a McDonalds restaurant would result in an improvement in the visual amenities of the area and the open character of the Green Belt. The building will be less noticeable; will be constructed using materials that will reflect the local area; and the site will be well landscaped. There is no other harm in terms of highway safety as the scheme has been modified to overcome the concerns of the Essex County Council Highways. It is concluded, therefore, that in respect of the restaurant part of the application there is a good case to consider that very special circumstances do exist.
- 6.28 The Kia Ora site is somewhat different. There is currently enforcement action being pursued in respect of the unauthorised use of the site for car sales. There is also a history of such action being taken previously. Enforcement action was justified on the grounds that the development did not amount to very special circumstances to warrant a departure from Green Belt policy, and at appeal, this view was upheld.

**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item 6**

- 6.29 The granting of permission would, potentially, lead to the removal of a substantial amount of the car sales area with the site being taken over by McDonalds. This would mean that there would not be a continuous frontage along the A129 of car sales and the applicants point out that this domination of the street scene by car sales was one of the justifications for taking enforcement action. However, the current proposal may overcome this justification for enforcement, but the proposal will still be contrary in Green Belt terms as such inappropriate development is by definition harmful to the Green Belt. The use of this land for the display of large numbers of vehicles and the provision of signs etc, will also harm the Green Belt. The fact that a larger building is replaced by much smaller one is a positive move, but as mentioned above, this will lead to more of the site being visible from the road and this is in itself, harmful to the character of the Green Belt.
- 6.30 Taking into account the harm that the use of the site as a car sales area will give rise to and the benefits of the proposal in terms of the replacement of rather large and unattractive buildings by smaller and more attractive buildings, it is considered that on balance, the harm is not clearly outweighed by the other considerations and therefore very special circumstances do not exist.
- 6.31 The applicant is unwilling or unable to separate the two sites and therefore the application must be considered as a whole and as such must be recommended for refusal on the grounds that the proposal is contrary to Policy GB1.

**RECOMMENDATION**

- 6.32 It is proposed that this Committee **RESOLVES to REFUSE** permission on the following grounds:

**1 RFR9**

**Relevant Development Plan Policies and Proposals:**

GB1 of the Rochford District Local Plan First Review

  
Shaun Scutcheon  
Head of Planning Services

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 : 01/00089/FUL  
ERECTION OF A RESTAURANT (CLASS A3),  
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AREA. AND THE USE OF LAND FOR MOTOR SALES AND  
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APPLICANT : MCDONALDS RESTAURANTS LTD.

ZONING : METROPOLITAN GREEN BELT

PARISH: RAWRETH

WARD: GRANGE AND RAWRETH

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**PLANNING APPLICATION DETAILS**

- 7.1 This is the second of two identical applications in respect of the above. Both applications relate to the demolition of the existing petrol filling station (currently used for car sales), workshop and offices at the Murco Service Station; and the demolition of the buildings on the adjacent site of Kia Ora. It is then proposed to replace them with a single storey McDonalds restaurant and 'drive-through' on the Murco site and a car sales area and small office building on the Kia Ora site.
- 7.2 The proposed McDonalds will be constructed out of facing brick with a pitched tiled roof and the building will be set well back into the site with the car parking in front of this. Around the periphery of the site it is proposed to carry out extensive landscaping.
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- 7.4 The car sales area is on land occupied by the property Kia Ora which currently is the subject of a Planning Contravention Notice for use of the site for car sales as well as the erection of some buildings. All the buildings on this site will be removed and the site will be laid out as a car sales area, with a small office in the centre of the site built out of brick with a tiled roof.

**RELEVANT PLANNING HISTORY**

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vehicles and the second related to the erection of a building. Both were appealed  
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storage, display and sale of vehicles, the erection of buildings and the use of Kia Ora, a  
dwelling, as offices. This is currently being pursued by the Council's Enforcement  
Team.

**CONSULTATIONS AND REPRESENTATIONS:**

- 7.10 **Rawreth Parish Council.** Question the need for a McDonalds on this site with virtually  
no local demand. Concerned about access to the site and the impact on traffic  
congestion at the roundabout and the potential for accidents.
- 7.11 **Essex County Council Highways.** Raises no objection to the proposal as detailed in  
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- 7.16 **Neighbour Consultation.** One letter objecting to the proposal on the grounds of it being within the Green Belt, unsightly illumination, road safety, litter, and on the grounds that there are already enough fast food outlets in the area.

#### MATERIAL PLANNING CONSIDERATIONS

- 7.17 The material considerations are whether or not the proposal complies with Green Belt policy and whether the impact of the proposal will have any adverse impacts in terms of highway safety.
- 7.18 The erection of a restaurant and the use of land for the sale of cars is quite clearly contrary to Green Belt policy. Such development is considered to be inappropriate and therefore by definition, harmful to the Green Belt and should therefore be refused. The only exception to this is, if very special circumstances can be proved. To reach such a conclusion the harm to the Green Belt and any other harm has to be clearly outweighed by other considerations, i.e. the benefits that will arise by allowing the development.
- 7.19 **The proposed McDonalds (Murco Site).**  
The site of the proposed McDonalds is occupied by the remnants of the petrol filling station, which is currently used for car sales. The buildings are very substantial in nature and the canopy, being quite high, certainly affects the open character of the Green Belt in this location. The total amount of floor space of the canopy amounts to 304 sq metres and the workshop building 189 sq metres, giving a total of 493 sq metres. The proposed restaurant is 326 sq metres with an enclosed refuse yard of 77 sq metres, a total of 403 sq metres.
- 7.20 The proposed building will be quite different from what is there at the moment being constructed out of facing brick with a pitched tiled half-roof around the sides of the building. This will be very much lower than the existing canopy and although only a half roof it will give the impression of a full pitched roof and is therefore considered more attractive. It will therefore have less of an impact on the open character of the Green Belt than the existing buildings.
- 7.21 Additionally, with the proposed landscaping around the site the proposal will be an improvement over the existing situation with its combination of buildings and cars displayed throughout the site.

- 7.22 With respect to the highway considerations a Traffic Impact Assessment was undertaken by the applicants. Initial advice from Essex County Council Highways was that they had concerns regarding the access to the site and the impact it would have on traffic flows and highway safety. However, following extensive negotiations between Essex County Council Highways, the applicant and officers from this Authority, the access arrangements to the site have been altered and there are no highway objections to the proposal from Essex County Council Highways.
- 7.23 **The proposed Car Sales Area & Office (Kia Ora Site).**  
At the moment there is the dwellinghouse of Kia Ora which has been until recently used as an office; an outbuilding in what was the rear garden of the property; and the rest of the site is primarily used for the display and sale of motor vehicles.
- 7.24 The authorised use of the premises is somewhat different and as the enforcement action referred to above indicates, this should be in the form of a dwelling with a residential curtilage/garden area. However, the applicants indicate that its use as a dwellinghouse ceased in 1988 and that since then it has been used as offices. If this is the case, and there is sufficient evidence to support it, an application for a Lawful Development Certificate may be appropriate.
- 7.25 Whilst the proposed use of the site and erection of an office building seems quite reasonable compared to the existing use, and could therefore be considered as very special circumstances, it does not seem at all reasonable when compared with the lawful use of the site. Although the site has at one time been used as a commercial garage, that use was abandoned in 1972 when permission was granted for extensions to a dwelling house. Since then various applications/enforcement cases refer to the property as being residential. The use of a residential garden for the sale and display of motor vehicles and all the paraphernalia associated with such uses, will be very different in character and will adversely affect the open character of the Green Belt.
- 7.26 The removal of the property known as Kia Ora and its replacement with a much smaller office building is welcomed to some extent as it will reduce the amount of buildings in the area. However, this would open up the whole site when viewed from A129, and it is considered that the site of a used car lot will not contribute to the amenities of the area or to the openness of the Green Belt.

#### CONCLUSION

- 7.27 It is considered that the replacement of the existing garage buildings with a McDonalds restaurant would result in an improvement in the visual amenities of the area and have a positive effect on the open character of the Green Belt. The building will be less noticeable; will be constructed using materials that will reflect the local area; and the site will be well landscaped. There is no other harm in terms of highway safety as the scheme has been modified to overcome the concerns of the Essex County Council Highways. It is concluded, therefore, that in respect of the restaurant part of the application there is a good case to consider that very special circumstances do exist to justify an approval.

**PLANNING SERVICES COMMITTEE - 27 September 2001 Item 7**

- 7.28 The Kia Ora site is somewhat different. There is currently enforcement action being pursued in respect of the unauthorised use of the site for car sales. There is also a history of such action being taken previously. Enforcement action was justified on the grounds that the development did not amount to very special circumstances to warrant a departure from Green Belt policy, and at appeal, this view was upheld.
- 7.29 The granting of permission would, potentially, lead to the removal of a substantial amount of the car sales area with the site being taken over by McDonalds. This would mean that there would not be a continuous frontage along the A129 of car sales and the applicants point out that this domination of the street scene by car sales was one of the justifications for taking enforcement action. However, whilst the current proposal may overcome this justification for enforcement, the proposal will still be contrary to Green Belt principles since inappropriate development is by definition harmful to the Green Belt. The use of this land for the display of large numbers of vehicles and the provision of signs etc, will also harm the Green Belt. The fact that a larger building is replaced by much smaller one is a positive move, but as mentioned above, this will result in more of the site being visible from the road causing further harm to the character of the Green Belt.
- 7.30 Taking into account the harm that the use of the site as a car sales area will give rise to and the benefits of the proposal in terms of the replacement of rather large and unattractive buildings by smaller and more attractive buildings, it is considered that the harm is not clearly outweighed by the other considerations and therefore very special circumstances do not exist.
- 7.31 The applicant is unwilling or unable to separate the two sites and therefore the application must be considered as a whole and as such must be recommended for refusal on the grounds that the proposal is contrary to Policy GB1.

**RECOMMENDATION**

- 7.32 It is proposed that this Committee **RESOLVES to REFUSE** permission on the following grounds:

**1 RFR9**

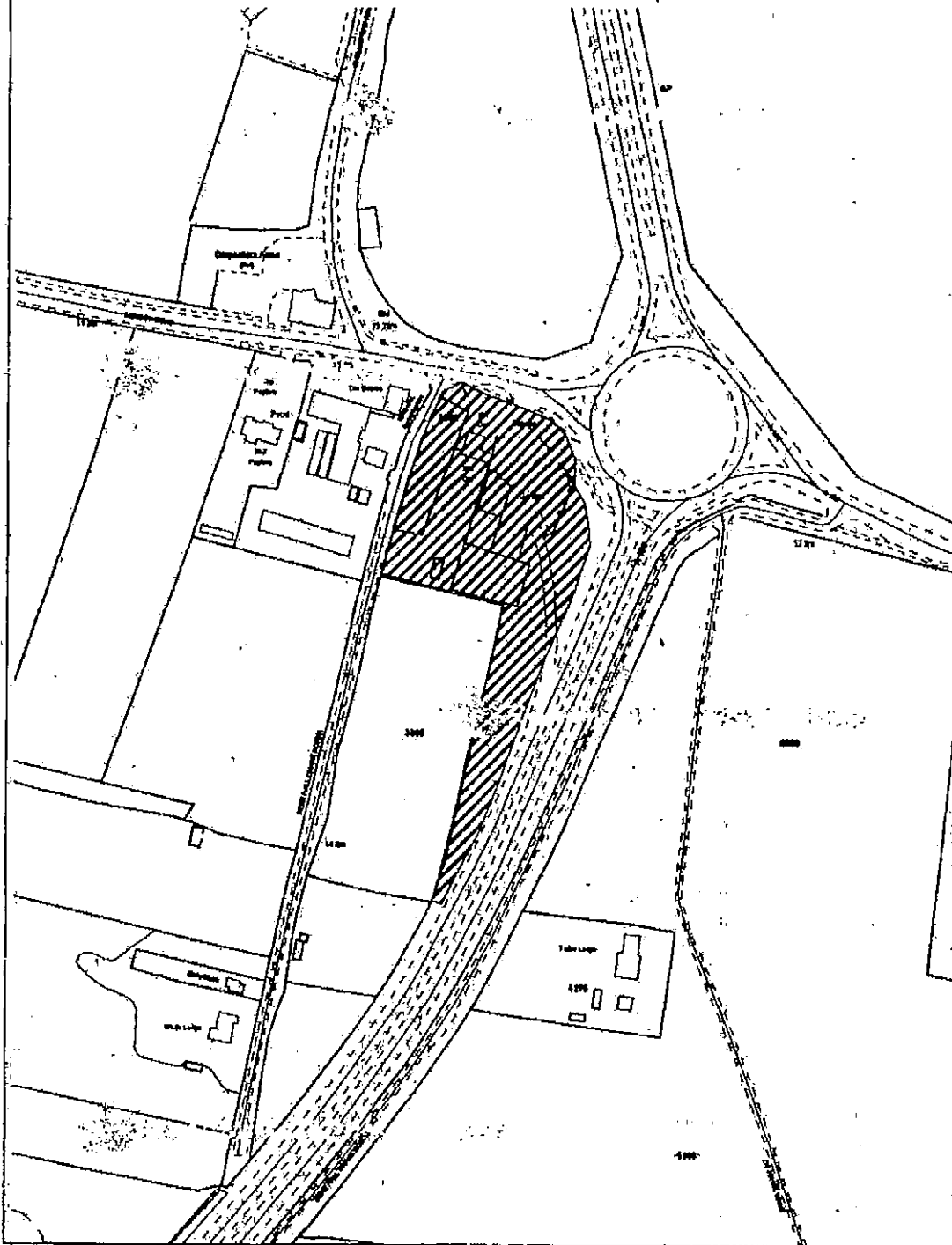
**Relevant Development Plan Policies and Proposals:**

GB1 of the Rochford District Local Plan First Review

  
Shaun Scruton  
Head of Planning Services

The local Ward Members 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) 548368.



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**TITLE :** 01/00680/CM  
CHANGE OF USE OF LAND TO WASTE TRANSFER  
STATION  
OAKWOOD YARD AT COTTIS YARD, PURDEYS  
INDUSTRIAL ESTATE, PURDEYS WAY, ROCHFORD

**APPLICANT :** OAKWOOD BUILDING CONTRACTORS

**ZONING :** AREA PRIMARILY FOR OPEN STORAGE

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD EASTWOOD

**PLANNING APPLICATION DETAILS**

- 8.1 This is a county matter application for the change of use of land at Purdeys Industrial Estate, Rochford to Waste Transfer Station. The site is located on land to the North of Walton Way within the Cottis Yard development; collectively known as Oakwood Yard.
- 8.2 The site is being constructed at the moment with a number of skips, transfer bins and various portable buildings currently located on site. The site boundary is defined by a mixture of pallsade fencing and walls of railway sleepers.

**RELEVANT PLANNING HISTORY**

- 8.3 Permission was given for a larger site, which included this land, for a haulage yard and builders merchants in 1971.
- 8.4 The re-location of a waste transfer station onto this site was given permission in 1993. (ref CM/519/93).
- 8.5 In 1998 there was a permission for the use of land directly to the east of the site as a waste transfer station.
- 8.6 Last year an application was submitted to erect a light industrial unit with parking provision on the site. This application has not been decided due to the requirement for further information which remains outstanding.
- 8.7 The most recent application was for a change of use of site to Waste Transfer Station on a near identical site to that of the current application.

**CONSULTATIONS AND REPRESENTATIONS**

- 8.8 This is a county matter application and consultations have been carried out by that authority. This authority has carried out further consultations and the following responses have been received, any additional responses as yet unavailable will be included for members within the addendum.

## PLANNING SERVICES COMMITTEE - 27 September 2001 Item 8

- 8.9 **Rochford Parish Council** No objections subject to appropriate restrictions on lorry movements, dust and noise control and substantial planting.
- 8.10 **Anglian Water** have no objections subject to conditions being placed should any consent be forthcoming.
- 8.11 **Local Plans** advise that within the Rochford District Local Plan First Review the site lies within an area allocated primarily for open storage. It is noted that a number of permissions have already been granted for waste transfer on this part of the estate. Indeed, it is difficult to think of a more appropriate site within the District for such uses to be located.
- 8.12 **Rochford Hundred Amenities Society** have no objection provided the site is contained within the area zoned for commercial use.

### MATERIAL PLANNING CONSIDERATIONS

- 8.13 This application follows on from the recent recommendation given by this council at the April 2001 committee. The current proposal is near identical to that which has recently received consent, the essential difference being a revision to the site boundary to incorporate additional land to the main entrance. This ties in with the development and boundaries as they appear on the ground, incorporating an existing weighbridge as per the application drawings.
- 8.14 Given the previous history of the site, and the recent grant of consent, the key considerations are as previously identified.

### Site History

- 8.15 As indicated permission was granted for the use of the land as a waste transfer station in 1993. This use was regulated by means of a Legal Agreement, which related to a separate permission to use land to the south as a coach depot. The Agreement dealt with the provision of access to the site and to keeping the waste transfer use and coach depot use as a single 'planning unit'.
- 8.16 There were also a number of conditions attached to the permission which, amongst other matters, dealt with the requirement for landscaping, details of fencing and the prohibition of floodlighting, unless agreed by the Planning Authority (the County Council)
- 8.17 In 1998 there was a further planning permission granted for the use land to the east of this site to be used as a waste transfer station. There is no Legal agreement in relation to this permission, but a number of conditions, which, in this case, relate to dust suppression, type of waste, lighting, height of waste, landscaping and boundary treatment, amongst other matters.

## PLANNING SERVICES COMMITTEE - 27 September 2001 Item 8

- 8.18 At the commencement of the previous application 01/00195/CM, it was the case that the use of land in this area for waste transfer purposes was established by a number of permissions. Currently this use has been established from the permission 01/00195/CM. The matters raised by this Authority on the consultation at the Committee on the 28 April this year were to raise no objection subject to details of dust suppression and lighting, height restriction of 4m and landscaping.

### Local Plan Policy

- 8.19 In the Local Plan the land is designated as an area primarily for open storage. This designation was applied in the light of the public safety requirements for the airport. The aim is that uses, which will attract significant numbers of people to sites within the safeguarding zone should not normally be permitted.
- 8.20 That safeguarding approach was applied in the first Local Plan (1998) and was a policy that would have been taken into account in the consideration of the 1993 application. The use was considered acceptable at that time in relation to this policy.
- 8.21 Since the adoption of the First Review of the Local Plan the Government has commenced a review of safeguarding zones and has indicated that the responsibility for assessing the implications of development proposals should rest with the planning authority rather than the Civil Aviation Authority.
- 8.22 The review of the zone (although not yet finalised) would result in the site being immediately adjacent to, rather than within the zone. Applying the criteria that the government has set out in a draft circular, if the site were to fall within the zone, the proposals still constitute a form of development that could be permitted.
- 8.23 In the light of these issues, and the history of permission on the site, it is not considered that this authority should seek to resist the proposals.

### CONCLUSION

- 8.24 The proposals constitute a form of development, which involves an extension to the land previously agreed as a waste transfer station. This is in line with the history of permissions within the area. In terms of the safeguarding issue, previous proposals were considered acceptable, and any relaxation in the designated area would mean that the additional land concerned with this application would be further from the zone.
- 8.25 It is considered that the County Council be advised that this Authority has no objection to this proposal subject to the imposition of conditions as

### RECOMMENDATION

- 8.26 It is proposed that this Committee **RESOLVES** that the County Council be informed that this Council has **NO OBJECTIONS** to the proposed use subject to the imposition the following conditions:



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- 1 Details of measures to suppress dust to be submitted and agreed.
- 2 Prior to installation details of any lighting to be submitted and agreed.
- 3 Restriction over the height of any stockpiled waste or processed material in the site, height to be not more than 4m.
- 4 Requirement for a landscaping scheme.
- 5 Surface Water will not in any circumstances be permitted to discharge to the foul sewer.

**Relevant Development Plan Policies and Proposals**

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

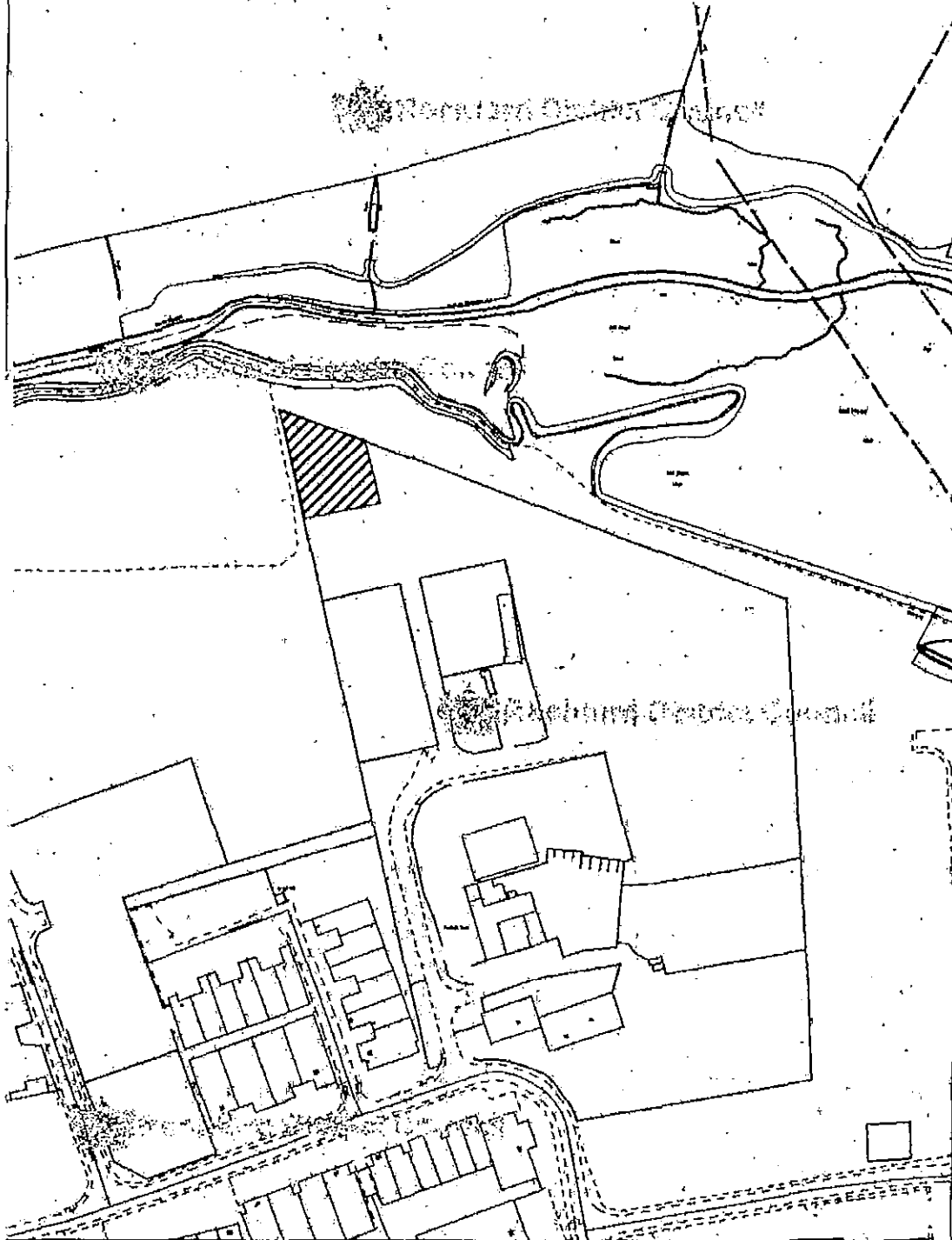
  
Shaun Scrutton  
Head of Planning Services

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The local Ward Member(s) for the above application are Cllr Mrs E J Ford

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

01/00880/CM



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**TITLE :**                    01/00188/FUL  
ERECT 18 SELF CONTAINED ELDERLY PERSON FLATS IN  
2/3 STOREY BUILDING, LAYOUT PARKING (DEMOLISH  
EXISTING HALL BUILDING)  
CROWN HILL BINGO HALL CROWN HILL, RAYLEIGH

**APPLICANT :**            HISTONWOOD LTD

**ZONING :**                PRIMARY SHOPPING FRONTAGE, RESIDENTIAL

**PARISH:**                RAYLEIGH TOWN COUNCIL AREA

**WARD:**                  WHEATLEY

**SITE AREA**              0.145ha (0.36 acres)

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**PLANNING APPLICATION DETAILS**

- 9.1 The existing building on the site is substantial and varies from single storey to 1.5 to 2 storey building heights and is proposed to be demolished. In its place would be erected a new building which would comprise flats for elderly persons. The part of the building closest to the High Street would be two storey. Beyond this, when travelling along the Crown Hill, there will be a three storey element, then the building drops again to two storey and the last part being three storey again.
- 9.2 As Members will know, Crown Hill drops down from the High Street towards the railway station. The change in level across the part of the site where the building is proposed would appear to amount to some 3m. Clearly ridge and eaves heights will vary, depending on the point at which they are measured, but they will vary between 4.3m and 7.8m to the eaves (approx.) and from 7.9m to 11.1m (approx.) to the ridge.

**RELEVANT PLANNING HISTORY**

- 9.3 RAY/33/59 - Block of 3 lock-up garages. (NB: Part of site but described as Crown Hotel site). Approved.
- 9.4 ROC/307/75 - Alterations to form licensed bar and store and provide additional car park. Refused.
- 9.5 ROC/663/75 - Structural alterations to form licensed bar. Approved.
- 9.6 ROC/880/75 - Extensions and alterations to car park, including landscaping at Crown Bingo, Crown Hill. Refused.
- 9.7 ROC/348/76 - Renovation of existing retaining wall and erection of boundary fence. Approved.

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- 9.8 ROC/239/82 - Alterations to existing vehicular crossing and amended layout of existing parking area. Refused.
- 9.9 ROC/501/83 - Extension to existing parking area and alterations to site access. Refused.
- 9.10 F/0369/97.ROC - Erect 2 bed bungalow (for security guard/caretaker for Adj. Blrigo Hall). Refused.

**CONSULTATIONS AND REPRESENTATIONS**

- 9.11 Two rounds of consultation have been carried out on the proposals.

**Consultation First Round**

- 9.12 The **County Surveyor** comments that a number of Conditions should be applied with regard to visibility and the layout of the car parking area within the site. It is indicated that 8 parking spaces will be acceptable.
- 9.13 The **County Conservation Advisor** comments that the scheme is rather dull and uninspiring and it should be thought just about acceptable.
- 9.14 The **County Archaeological Officer** suggests that a scheme of archaeological work should be implemented and secured by condition.
- 9.15 The **Environment Agency** has no objections but provides advice in relation to surface water pollution prevention methods.
- 9.16 **Anglian water** has no objections and suggests conditions in relation to the details of surface and foul water disposal.
- 9.17 The **Woodlands and Environmental Specialist** does not consider that the proposed building will have an impact on the TPO trees on the site. The car parking area however may result in the excavation of soil which could affect tree roots.
- 9.18 The **Head of Housing, Health and Community Care** comments that there is potential for occupants of the new building to be disturbed by pedestrians and vehicular activity due to the proximity of the site to the High Street and the Crown Public House. Conditions are suggested if Members are minded to approve the proposals.
- 9.19 The **Building and Highways Maintenance Manager (Engineers)** notes the location of a public sewer on the site.
- 9.20 **Rayleigh Town Council** objects due to inadequate parking, increased vehicular activity and the dominating visual impact of the proposals.

9.21 The Rayleigh Civic Society is concerned at the height of the building and suggest that habitable space be placed in the roofspace with dormer windows. Suggest that two lifts are provided and that windows be inset into the walls. Car parking appears adequate, although it is not clear if a residential warden is anticipated. Materials are acceptable but landscaping will be important.

9.22 Residents' responses can be divided into the following groups:

- Letters on behalf of two houses in Crown Hill and a High Street business raising, in the main, the following concerns:
  - type of accommodation - expect it to be restricted to over 65 years of age
  - accommodation not designed for elderly people; 12 units have 2 bedrooms; although there is a communal lounge, no resident warden accommodation
  - adequacy of car parking provision
  - loss of Urban Open Space - by increased size of the building, parking area and potential enclosure of amenity area
  - building too high; totally out of scale with its surrounding - loss of light to neighbours
  - too high a density.
- 3 households support the principle of redevelopment of the site, but have reservations concerning, in the main:-
  - the scale, height and dominance of the building
  - the loss of privacy of the properties on the opposite side of Crown Hill exacerbated by the site level being considerably higher than road level
  - building line coming forward
  - awkward vehicular manoeuvre from the site in either direction.
- A concerned Rayleigh resident has corresponded with the Authority as well as the Applicant/Agent. Expressing a strong view that whilst the principle of the development is appropriate, the 3 storey scale of the building and architectural details are not.

#### **2<sup>nd</sup> Round of Consultations**

- 9.23 The County Surveyor comments that a number of Conditions should be applied with regard to visibility and car parking, noting that traffic generation will be no greater than when the site operated as a Bingo Hall and that visibility on the non-traffic side is acceptable.
- 9.24 County Conservation Officer considers the proposal is a little improved over the earlier schemes and suggests consent be granted subject to materials Conditions. Concern is raised at the difference in ridge-line heights, the oversized roof bulk over the two storey element and uncertainty that the reduced 3 storey element is visually strong enough to provide a focus to the front elevation.

- 9.25 **Rayleigh Town Council** object due to the size and scale of the development and adequacy of parking/turning facilities with reference to Policy H16 (3) (iii) and H17 of the First Review Local Plan.
- 9.26 **Woodlands & Environmental Specialist** notes that the proposed building and car parking is closer to the protected trees. T1 will not be able to grow to maturity; the building will be beneath the canopy of protected Sycamores which is not illustrated on the plans and the root zone of the trees adjacent to the proposed car park will affect the future health, vigour and potentially their stability. It is not possible to state the exact effect of the development. It is not possible to say whether the trees will definitely fail, survive or lose amenity value. The development will have an adverse effect on the trees, especially the mature specimens that afford most amenity value.
- 9.27 **Rayleigh Civic Society** comment that despite the reduction of one flat and in part from 3 storey to 2 storey, they consider the building to have an overbearing appearance. They suggest dormers in the roof would allow an overall reduction in building size. They question the role of the chimneys and suggest 2 lifts are required.
- 9.28 Residents can be divided into 3 groups:
- 3 households object in the main on the following grounds:
    - no change from earlier plans
    - excessive height of building; out of character with surroundings and the Conservation Area
    - question why include 2 bedroom elderly person units?
    - inadequate car parking
    - loss of light and overlooking of properties opposite in Crown Hill
    - building much closer to Crown Hill
    - awkward vehicular access
  - 3 households support the principle of the re-development and consider the architectural detailing good with period elements. Suggest quality Conservation Area materials should be used, perhaps second hand and Ward Members should be involved in agreeing them. However, they are concerned at the height and dominance of the building in this setting and suggest lowering the roof line by perhaps utilising a dormer range in the roof.
  - A concerned Rayleigh resident has corresponded with the Authority as well as the Developer/Agent. Objection is raised to the revised scheme which he considers has gone from bad to worse; the 3 storey wall height and overall height and bulk of the current proposal. He considers the front elevation and second floor plan unsatisfactory. He points out that the current site level for a proportion of the site where the building is positioned is a storey height above the road level. Objection is also raised to:
    - the loss of one of the flats; the developer ought to be able to have 19 units.
    - the vast expanse of the roof.

- use of dummy chimneys and other architectural elements, e.g. boxy porch, rendering levels, "heavy" bay window and brick plinth.
- He questions the accuracy of the road levels of retaining wall as drawn which therefore cannot be properly assessed.
- He questions the detailing of the amenity areas and their arrangement with the lower ground level flats.
- No details of finished ground levels, nor sections through the site, with comparative existing details, e.g. other dwellings opposite and existing tarmac levels.
- External doors at first floor level and staircase details.

9.29 He has forcibly put forward what he considers to be a more appropriate proposal, essentially, 3 storeys utilising a mansard or dormer roof design with a small 2 storey element towards the High Street end.

#### MATERIAL PLANNING CONSIDERATIONS

9.30 The key issues being:-

- Visual Impact
- Relationship Issues
- Access and Parking
- Impact on TPO Trees
- Local Plan Allocation.

9.31 **Visual Impact**

The site is on the edge of the central area of the Town Centre. It has a frontage to Crown Hill of some 70m, where Crown Hill falls considerably away from the High Street towards the West. The existing Hall on the site is substantial, being between 1.5 and 2 storeys in height and set at a level of almost one storey above ground level.

9.32 The proposal is for a two storey element towards the High Street end rising to 3 storeys, then dropping away to a 2 storey element with a 3<sup>rd</sup> storey element set at a storey lower where the site falls away down Crown Hill.

9.33 The existing buildings in Crown Hill are older 2 storey and, in the main, with high ceiling heights. Also, Christ Church has an imposing gable end onto Crown Hill. The buildings in the High Street vary in height with 2 storey and many 3 storey buildings. When viewed from the Crown Hill/High Street junction, it is difficult to suggest the site cannot sustain 3 storey development.

9.34 The edge of the Conservation Area cuts through the eastern end of the site and wraps around the rear of it.

9.35 The question of the visual impact of the scale of this building has been the main focus of debate by local residents and other consultees. However, in the light of its setting and experience of other similar Town Centre proposals, the scale of the building is considered acceptable.

- use of dummy chimneys and other architectural elements, e.g. boxy porch, rendering levels, "heavy" bay window and brick plinth.
  - He questions the accuracy of the road levels of retaining wall as drawn which therefore cannot be properly assessed.
  - He questions the detailing of the amenity areas and their arrangement with the lower ground level flats.
  - No details of finished ground levels, nor sections through the site, with comparative existing details, e.g. other dwellings opposite and existing tarmac levels.
  - External doors at first floor level and staircase details.
- 9.29 He has forcibly put forward what he considers to be a more appropriate proposals, initially, 3 storeys utilising a mansard or dormer roof design with a small 2 storey element towards the High Street end but more recently a primarily two storey scheme with a three storey element at the lower end of the site.

#### MATERIAL PLANNING CONSIDERATIONS

- 9.30 The key issues being:-

Visual Impact  
Relationship Issues  
Access and Parking  
Impact on TPO Trees  
Local Plan Allocation.

9.31 **Visual Impact**

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- 9.32 The proposal is for a two storey element towards the High Street end rising to 3 storeys, then dropping away to a 2 storey element with a 3<sup>rd</sup> storey element set at a storey lower where the site falls away down Crown Hill.
- 9.33 The existing buildings in Crown Hill are older 2 storey and, in the main, with high ceiling heights. Also, Christ Church has an imposing gable end onto Crown Hill. The buildings in the High Street vary in height with 2 storey and many 3 storey buildings. When viewed from the Crown Hill/High Street junction, it is difficult to suggest the site cannot sustain 3 storey development.
- 9.34 The edge of the Conservation Area cuts through the eastern end of the site and wraps around the rear of it.
- 9.36 The question of the visual impact of the scale of this building has been the main focus of debate by local residents and other consultees. However, in the light of its setting and experience of other similar Town Centre proposals, the scale of the building is considered acceptable.



- 9.44 Crown Hill, however, is not a recognised shopping frontage in the Town, nor has the site contributed to shopping activity. Its development for an elderly persons scheme appears as appropriate as its use as a Bingo Hall.
- 9.45 The Government's advice in PPG's is to encourage mixed uses and residential uses in Town Centres and this proposal is in line with that advice, as successfully argued by McCarthy & Stone on the Eastwood Road Appeal site.

#### CONCLUSION

- 9.46 There are a number of key issues in considering this application and none of them are straightforward. The development is a significant scheme on a large edge of a Town Centre site and, as such, has attracted comment from a number of directions. Overall though, the scheme is considered to be acceptable.

#### RECOMMENDATION

- 9.47 It is proposed that this Committee **RESOLVES** to **APPROVE** the application on expiry of the departure advertisement and subject to the following Heads of Conditions:-
- 1 SC4 Time Limits Full - Standard
  - 2 SC9 Removal of Buildings
  - 3 SC14 Materials to be Used
  - 4 SC59 Landscape Design - Details (Full)
  - 5 SC60 Tree and Shrub Protection
  - 6 Visibility splay of 2.4m x 70 to be provided on the traffic approach side of the vehicle access and within the site there shall be no obstructions above the level of the carriageway within that splay.
  - 7 A vehicle access to be constructed to a minimum width of 5.5m and at a gradient of no greater than 8%, with a suitable splay from the highway boundary to the dropped kerb crossing.
  - 8 A pedestrian visibility splay of 1.5m x 1.5m, as measured from the back of the footway shall be provided either side of the access with no obstruction above 600mm within the area of the splay.
  - 9 The hardstanding to be laid out and constructed in a permanent material, for the first 6m from the highway boundary.
  - 10 SC62 PD Restricted - Gates
  - 11 SC76 Parking and Turning Space
  - 12 The dwelling units or any parts thereof shall not be occupied, under let or shared by or with any person under the age of 55 at the date of occupation.
  - 13 Details of any proposed refuse storage facilities or external drying out areas shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement and thereafter carried out, retained and maintained as agreed.
  - 14 SC96 Archaeological Works
  - 15 Specification for construction to include brickwork in Flemish Bond, natural slate roof, smooth render finish, colour paint finish and vertical sliding sash painted timber windows.
  - 16 Slab and finished site levels in relation to existing site levels to be agreed in detail (but along lines annotated on plan 831/111A).

- 17 No fences, walls or other enclosures to be erected on any part of the site except as previously agreed by the Local Planning Authority.
- 18 Details of proposed soft landscaping of existing hard surface/developed parts of the site including levels.
- 19 The building shall be constructed so as to provide sound insulation from internally and externally generated noise, such that the World Health Organisation's recommended night-time noise level for sleep of 35dB(A) is achieved within bedrooms.
- 20 Prior to installation, details of the proposed internal lift system and associated plant shall be submitted to and agreed with the Local Planning Authority. Such agreed works shall be installed as approved prior to the commencement of any use hereby permitted and shall be maintained in the approved form whilst the premises are in use for the permitted purpose.
- 21 Details of foul and surface water drainage for the site must be submitted to, and approved by the Local Planning Authority before any work commences on site. The drainage works shall be constructed in accordance with the approved plans.
- 22 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas for less than fifty spaces and hardstandings should be passed through trapped gullies with an overall capacity compatible with the site being drained.
- 23 No building shall be erected within 3 metres either side of the centre line of the public sewer crossing the site.

**Relevant Development Plan Policies and Proposals:**

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

H2 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 are Cllr C C Langlands.  
Cllr Mrs M J Webster.

For further information please contact John Whitlock on (01702) 546386.

**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item 10**

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**TITLE :** 01/00836/FUL  
CHANGE OF USE OF BUILDING TO AIRCRAFT PAINTING  
HANGER. ADDITION OF ROOF 'TAIL BAY' EXTENSION  
SMAC GROUP AVIATION WAY, SOUTHEND AIRPORT

**APPLICANT :** AIR LIVERY LTD

**ZONING :** EXISTING INDUSTRIAL

**PARISH:** ROCHFORD PARISH COUNCIL

**WARD:** ROCHFORD ST ANDREWS

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**PLANNING APPLICATION DETAILS**

- 10.1 This application is for the change of use of an existing building to an Aircraft Painting Hanger with the addition of a roof 'Tail Bay' extension.
- 10.2 The site is located adjacent to the airfield, fronting an aircraft taxi way. This gives direct access to the airfield with access also possibly via Aviation Way. The change of use of this building to an aircraft associated use is feasible due to its location with respect to the airfield, a situation that is replicated with adjacent buildings such as Helicopter Maintenance.

**RELEVANT PLANNING HISTORY**

- 10.3 The site has been subject of several previous applications relating to the use of the premises for vehicle related purposes, the most recent of which have included the conversion from Warehouse to Industrial Vehicle Repair Shop (425/87) and alteration to form a parts store/offices and car hire facilities (194/90).

**CONSULTATIONS AND REPRESENTATIONS**

- 10.4 Rochford Parish Council have no objections to this application.
- 10.5 Essex County Council (Highways) raises no objection to this application.
- 10.6 Civil Aviation Authority has no safeguarding objection to this application.
- 10.7 Housing Health & Community Care has no adverse comments in respect of this application subject to the Standard Informative SI16 (Control of Nuisances) being attached to any consent granted.
- 10.8 Rochford Hundred Amenities Society have no adverse comment on this application.

**PLANNING SERVICES COMMITTEE - 27<sup>th</sup> September 2001 Item 10**

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**TITLE :** 01/00636/FUL  
CHANGE OF USE OF BUILDING TO AIRCRAFT PAINTING  
HANGER. ADDITION OF ROOF 'TAIL BAY' EXTENSION  
SMAC GROUP AVIATION WAY, SOUTHEND AIRPORT

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**MATERIAL PLANNING CONSIDERATIONS**

- 10.9 The physical development proposed within this application concerns only an extension to the roof to accommodate aeroplane tail fins. This is achieved by raising the roof height of the existing building by a maximum of 1.8 metres to the rear. The building and surrounding land has comprehensive carparking available to the North and West elevations.
- 10.10 Overall the proposed alterations will have no significant detrimental impact on the local amenity given the industrial estate which forms the surrounding development. In addition, if permitted the proposed change of use would create employment opportunities and allow the re-use of a building that is currently vacant. Following on from the development that has taken place within this site over time – the current proposal would be a progression of the existing use as an industrial vehicle repair shop, thus a similar use is maintained in the repair and painting of aeroplanes.

**CONCLUSION**

- 10.11 The proposed development will have no detrimental impact on the amenity of the surrounding industrial estate, providing an appropriate continued use of an existing building.

**RECOMMENDATION**

- 10.12 It is proposed that this Committee **RESOLVES** to **GRANT** planning permission subject to the following conditions:

- 1 SC4 Time Limits Full
- 2 SC15 Materials to Match

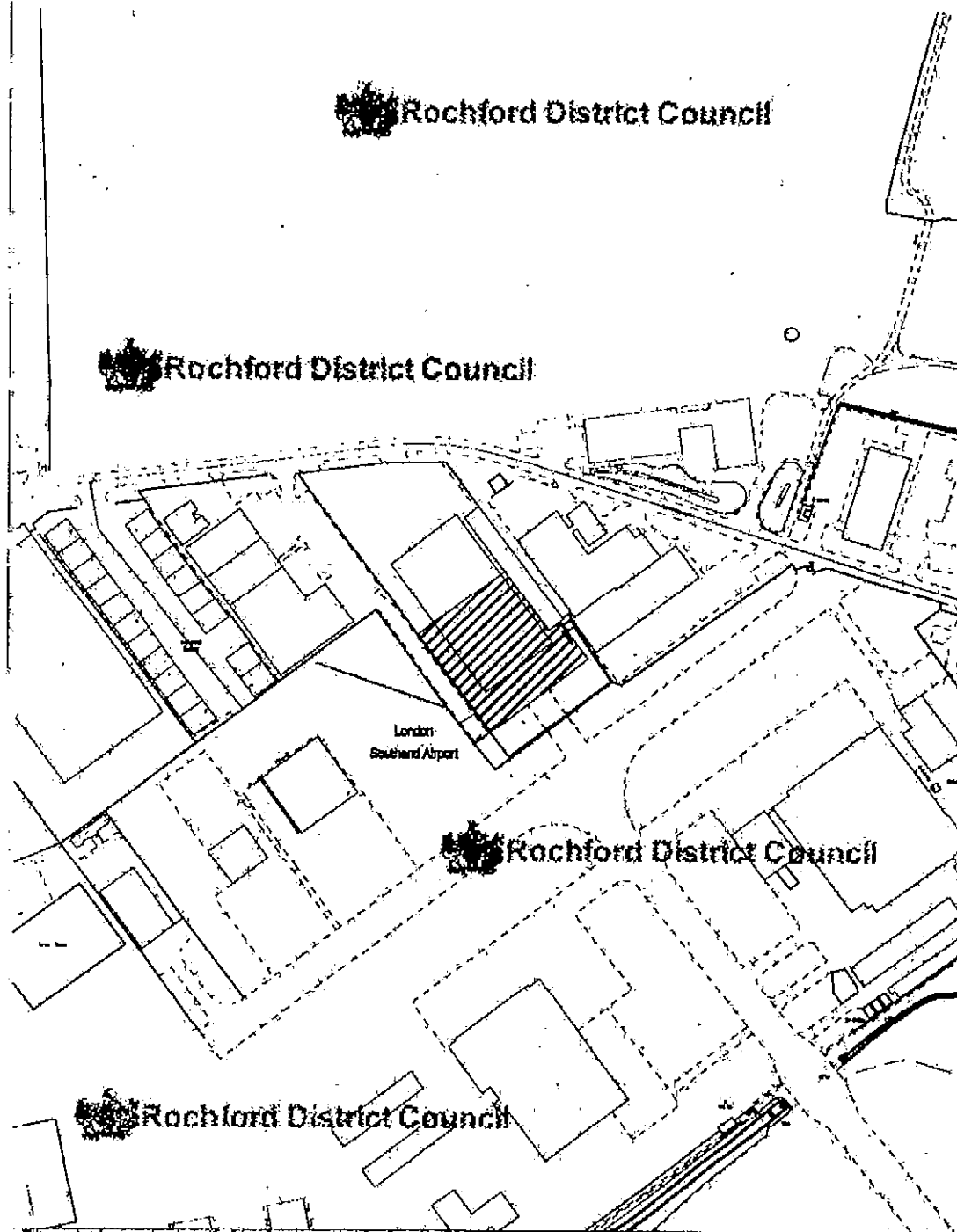
**Relevant Development Plan Policies and Proposals**

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

  
Shaun Scrutton  
Head of Planning Services

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

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



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