

13/00263/FUL**AT ACACIA HOUSE, 2 EAST STREET, ROCHFORD****DEMOLISH EXISTING OUT BUILDING AND CONVERT
EXISTING BUILDING INTO 7 NO. ONE-BEDROOMED
FLATS AND 2 NO. TWO-BEDROOMED FLATS WITH
PARKING AND AMENITY AREAS**

APPLICANT: **ROCHFORD DISTRICT COUNCIL**

ZONING: **RESIDENTIAL, CONSERVATION AREA**

PARISH: **ROCHFORD**

WARD: **ROCHFORD**

1 PLANNING APPLICATION DETAILS

- 1.1 This application was deferred from the May Development Committee to further investigate concerns regarding the refuse, amenity and parking issues.
- 1.2 The site is located on the eastern side of East Street, Rochford. The building is three full storeys with further accommodation within the roof space. The site has vehicular access to the eastern side parallel with Quys Lane and to a shingled car parking area to the rear of the building. To the rear of the main building is a detached single-storey out building sited to the southern boundary of the rear yard area.
- 1.3 The building under consideration was used as the Council offices for Rochford District Council's Planning Department. The Planning Department has since been relocated and the building has been vacant since January 2012.

The Proposal

- 1.4 The proposal is to demolish the single-storey out building and convert the main building into 7 one-bedroomed flats and 2 two-bedroomed flats with associated parking and amenity areas to the enlarged area formed with the demolition of the out building. No extensions are proposed as part of this application, therefore the footprint of the building will remain as that existing. The existing windows and doors are to be retained.
- 1.5 To the north of the site immediately alongside the boundary is a vehicular access, Quys Lane. To the south is a diving shop (No. 1 South Street) and further to the south along South Street are Rochford District Council offices. The building itself is not listed but sits within the Rochford Conservation Area.

2 RELEVANT PLANNING HISTORY

- 2.1 Several applications have been made at the above site and include the following:-

Application No. 83/05528/FUL

Add extension to form rooms in the roof for use as offices

Application permitted 31 December 1983

Application No. 80/00951/COU

Change of use from residential to office accommodation

Application permitted 3 March 1981

3 CONSULTATIONS AND REPRESENTATIONS

Rochford Parish Council

- 3.1 Members have concerns that the access to the site may cause issues, particularly as this is virtually a blind corner.

- 3.2 **Essex County Council Highways** The on site parking provision is considered to be acceptable as there will be adequate parking provision due to the town centre location with its proximity of public car parks and sustainable travel; Essex County Council as the highway authority does not wish to raise objection to the proposals, subject to the following conditions being attached:-

1. 9 no. parking spaces shall be provided having minimum dimensions of 2.9 metres x 5.5 metres.
2. A minimum dimension of 6m shall be provided between the rear of the parking bays within the parking court.
3. Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.
4. Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.
5. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

6. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
7. Prior to the commencement of works on site the applicant shall indicate in writing to the Local Planning Authority an area within the curtilage of the site for the parking of operatives' vehicles and the reception and storage of building materials clear of the highway.
8. Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include 10 All Essex Scratch card tickets.

Essex County Council Historic Buildings & Conservation

- 3.3 This application is to demolish the existing out building and convert the existing office building into flats. The out buildings make little or no contribution to the character and appearance of the Conservation Area and I raise no objection to this proposal. The physical alterations to the exterior of Acacia House are generally of a minor nature. I am gratified that the fire escape staircase is to be retained. The alteration of the fire escape door to a window would be acceptable. I note with concern, however, the proposal to replace the existing windows with double-glazing units. This would harm the integrity and appearance of this attractive building which, although not listed, makes a considerable contribution to the character of the Conservation Area. None of this application could be said to positively preserve or enhance the character and appearance of the Conservation Area, but this element of the scheme would do actual harm. If this part of the proposal were omitted I could recommend permission for the application, but cannot support it as it stands.

English Heritage

- 3.4 On the basis of the information provided we do not consider that it is necessary for this application to be notified to English Heritage under the relevant statutory provisions, details of which are enclosed.
- 3.5 If you consider that this application does fall within one of the relevant categories, or if there are other reasons for seeking the advice of English Heritage, we would be grateful if you could explain your request.

Anglian Water

- 3.6 We have no comment to make on this occasion.

4 MATERIAL PLANNING CONSIDERATIONS

- 4.1 Notwithstanding its long use for offices, the site is located within the residential area of Rochford, as shown on the Local Plan proposals map 2006. Residential development of the site would, in principle, be considered acceptable at this location. The National Planning Policy Framework (NPPF) is in favour of sustainable development. It is considered that the proposed residential development accords with this presumption and represents 'sustainable development' at this site, given the location of the site within the Rochford town centre.
- 4.2 The building is positioned immediately adjacent to the public footpath and sits on the junction of East Street, South Street and North Street and is considered to be in a prominent location. The building is located just outside the secondary shopping frontage of Rochford town centre, but is within the Rochford Conservation Area.
- 4.3 There are a number of differing styles of building within the vicinity of Acacia House, some of which are listed. Acacia House has the appearance of a three storey building and is one of the larger buildings at this junction and within Rochford itself. The adjoining building (No.1, a diving shop) is also three storeys; however, it has a ridge height much lower of that seen to Acacia House.
- 4.4 The proposed conversion of the building would not result in any substantial changes, with the only alterations to the building itself being to the fenestration. Two roof lights are proposed to be installed within the south-west roof slope, the two existing doors seen to the larger fire escape staircase would be removed and replaced with windows and the door to the smaller staircase would be permanently fixed shut. The applicant has also stated that the replacement of all windows throughout the scheme is not necessary. All other elements of the building would be retained and no further extensions are proposed.
- 4.5 The rear out buildings to be removed are not considered to be of architectural or historic interest. The out buildings are located against the backdrop of adjoining extensive extensions to the neighbouring building to the south and they do not make a positive contribution to the character or appearance of the Rochford Conservation Area. Their retention would not be justified.
- 4.6 The drawings submitted show that the external fire escape staircases would be retained; however, a barrier would be installed on both staircases to prevent them from being used. The retention of the staircases is considered important in conservation terms, but there is a need to prevent their use because of fire risk from opening windows.
- 4.7 To the rear of the site is a flatted scheme; this is over 30m from the rear wall of Acacia House. It is not considered that the conversion of this previously used office to residential dwellings would result in an unacceptable

relationship with the surrounding area, as flats are already prevalent within the town centre. Given the distances between buildings and that no further windows are proposed it is considered that the proposed flats would not result in an unacceptable amount of overlooking to neighbouring buildings. It is thought that any windows serving a bathroom would be obscure glazed.

5 AMENITY SPACE CONSIDERATIONS

- 5.1 Whilst it is considered that for new developments amenity space is an important feature, this scheme is to bring an existing vacant building into a new use. As previously mentioned, the building is within a town centre location, it is not unusual for flats in such a location to not have access to their own private amenity space or communal space due to the relatively higher density and older buildings. In this case a number of public open spaces are in close proximity to the site and includes Doggetts, the Public Open Space on Bradley Way and Millview Meadows, all of which are within walking distance.
- 5.2 The revised plans continue to show an amenity area to the rear of the site; the surface finish is to be agreed and this can be controlled by condition. The amenity area is larger than that seen within the previous application and would be 97 square metres. It is considered that this area could be used as a communal patio area or could be landscaped.
- 5.3 Supplementary Planning Guidance requires that for flatted schemes balconies should be a minimum of 5 square metres, with the ground floor dwelling having a minimum patio garden of 50 square metres, or the provision of a useable communal garden for residents of 25 square metres per flat. One balcony can be seen to the top floor flat; this balcony would be 6.35 square metres and exceeds the guidance and is considered to be acceptable. Supplementary guidance also states that the minimum amenity area standards can be combined. On this basis the communal garden would be shared between eight flats each having 12.12 square metres.
- 5.4 Previous discussions highlighted that a communal garden is not necessarily needed due to the building being within a town centre location and being within a short distance of public open spaces.

6 REFUSE COLLECTION ISSUE

- 6.1 The issue surrounding refuse has been re-visited and the bin store has been re-located and can be seen to the northern side of the site on the boundary with Quys Lane. This revised location alleviates concerns Members raised regarding its close proximity to the flatted scheme.
- 6.2 Due to the re-location of the bin store the numbers and types of bins have been revised; the scheme will now have six 240ltr. general bins, six 240ltr. recycling bins and two 140ltr. kitchen waste bins. The Head of Environmental Services has been consulted with regard to the new scheme and has no

objection to the location of the bin store; this is 25m from where a refuse vehicle can be stationed and complies with the Council's guidance.

- 6.3 The positioning of the bin store would also allow this to be enlarged, if necessary. It is considered that the store could be controlled by condition to the grant of permission. It should also be noted that the bin store would need to be sufficiently robust to withstand impact from bins when they are moved by residents or collection operatives.
- 6.4 As previously mentioned, the bin store would be located 25m from the highway and as such is within a distance whereby refuse operatives would collect the bins. Whilst some concerns were raised regarding the blocking of the highway on collection days and access to the parking area, Essex County Highways has not raised objection to this arrangement. Given that the development makes use of an existing building and the street layout generally, functions to serve the needs of refuse collection vehicles, regardless of the use of the building, refuse collection is always going to occur. Therefore whilst there may be some limitations on the highway, this would be for a relatively short period of time and is not such an unusual arrangement in a town centre that it should not be accepted.

7 PARKING AND ACCESS ISSUES

- 7.1 The proposed parking would be to the rear of the site, accessed from the existing access point from East Street along the side elevation of Acacia House; this access is 2.8m in width and is considered acceptable as this access was previously used when the building was used as Council offices.
- 7.2 The Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010 requires for flats 1 vehicle space per dwelling (with two vehicle spaces for two-bedroomed flats) and one secure covered cycle space per dwelling. For visitor/unallocated parking there is a requirement for 0.25 spaces per dwelling (rounded up to the nearest whole number), 1 powered two wheeler (PTW) space per 8 dwellings for visitors, 2 powered two wheeler spaces and 3 disabled bays. The parking standards document also states that 'reductions of the vehicle standard may be considered if there is development within an urban area (including town centre locations) that has good links to sustainable transport'.
- 7.3 The plans submitted propose nine vehicle spaces providing one space per flat, six of the proposed spaces would be to the preferred bay size of 2.9m x 5.5m. The further three spaces would be smaller in size and would be 2.4m x 5.5m, Essex County Council Highways has raised no objection regarding this.
- 7.4 Whilst no disabled bays are proposed, the design and access statement states that at least one space could be enlarged in size to 3.3m x 4.8m and the submitted plan shows this to be P-06. The proposed layout also shows 6m to the rear of all parking bays, which is necessary in order to provide a turning facility within the site. It should also be noted that a cycle store can be seen to

the southern side of the site bordering the communal garden and would have a minimum of 9 cycle spaces, which complies with standards.

- 7.5 As previously mentioned, the site is within a sustainable town centre location whereby the occupiers of the flats would have access to good transport links; there are frequent bus services and a train station. There is a shortfall in the number of parking spaces as no visitor spaces are proposed nor any further disabled bays. Nevertheless, given the site's central location offering opportunities for on-street parking and the proximity of Back Lane car park, the numbers of parking spaces can be justified and County Highways has raised no concerns with regard to parking, nor with regard to three of the spaces not meeting the preferred bay size.
- 7.6 The car park for the building is existing and it is not considered to result in an unacceptable relationship with neighbouring properties; it should be noted that Quys Lane bordering the site is also used sporadically for vehicle access and provides a separation between the boundary of Acacia House and No. 4 East Street.

8 LIFETIME HOMES

- 8.1 Policy H6 to the Rochford District Council Core strategy (2011) states the need for all new housing developments to comply with the Lifetimes Home Standard. This policy states that in the case of developments of between 10 and 30 dwellings at least one dwelling is expected to be built to full wheelchair accessibility standards. In this case 9 dwellings are proposed and as such the development is not required to achieve these standards, however, within the design and access statement submitted some of the Lifetime Homes criteria should be achieved.
- 8.2 The applicant has stated that criteria 1-4 should be possible and this includes car parking width, movement from the parking space to the home, approach to the home, and entrances. The applicant states that at least one space would meet the 3.3m x 4.8m size standard, the scheme will provide level approaches to entrance doors via pathways with a minimum width of 1200mm, and will achieve the required illumination, level threshold, effective clear opening width and external landing.
- 8.3 Criteria 8, 9, 10 and 12 all concern entrance level provisions; all the flats are single storey internally and therefore these criteria would be met.
- 8.4 Criteria 6, 7, 11, 13, 14, 15 and 16 will be met where possible; these criteria include doorways and hallways, space to turn and move around, bathroom walls, getting between bedroom and bathroom, bathroom layout, windows and sockets and controls. Whilst the applicant has stated that these criteria will be met where possible, they cannot be achieved throughout the scheme due to the size of some of the flats proposed resulting from the constraints of the existing building fabric.

9 OTHER CONSIDERATIONS

- 9.1 The submitted plans show that a new 1.8m high brick wall would be constructed and would run approximately 11.6m. The remaining boundary would be enclosed by a new 1.8m close boarded fence. As the site is within the Rochford Conservation Area, further details would need to be provided with regard to the style and colouring of the proposed enclosure to ensure that the materials and style were traditional and in keeping within the Conservation Area. It should also be noted that Quys Lane is sited higher than the ground level of the proposed parking area, however the existing fencing is currently 1.8m in height.

10 CONCLUSION

- 10.1 The proposal is acceptable in principle and makes good use of a vacant building within Rochford, creating residential units. The external appearance of the building would remain largely unchanged and thus retains its existing relationship within the Conservation Area.
- 10.2 Several issues have been highlighted above with regard to the development in terms of parking provision, amenity and refuse, but it is considered that these can be accepted at this town centre location, which is considered to be a sustainable location with good access to public transport and public open spaces.

11 RECOMMENDATION

- 11.1 It is proposed that the Committee **RESOLVES**

To delegate to the Head of Planning and Transportation to determine upon the outcome of the outstanding period of consultation for the press advertisement after 7 June 2013 to approve planning permission, subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The external facing materials (including windows and doors) to be used in the construction of the development hereby permitted shall match (i.e. be of an identical appearance to) those of the corresponding areas of the existing building.
- (3) The external paving materials to be used in the construction of the development hereby permitted shall be those materials specified on the application form date stamped 2 May 2013 submitted in relation to the development hereby permitted and as indicated on drawing number 1772 DE 20-02, Revision C, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative materials to be used in the development have been submitted to and approved in writing by

the Local Planning Authority. Where alternative materials are agreed in writing by the Local Planning Authority the materials agreed shall be those used in the development hereby permitted.

- (4) No development shall commence before plans and particulars showing the precise details relating to the surface treatment of the amenity space have been submitted to and approved in writing by the Local Planning Authority.
- (5) No development shall commence before plans and particulars showing precise details of any gates, fences, walls or other means of screening or enclosure to be erected have been submitted to and agreed in writing by the Local Planning Authority. Such details of screening or other means of enclosure as may be agreed in writing by the Local Planning Authority shall be erected prior to the building to which they relate first being occupied and thereafter maintained in the approved form.
- (6) No development shall commence before plans and particulars showing precise details of soft landscaping which shall form part of the development hereby permitted have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details, as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:-
 - Schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
 - areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
 - means of enclosure and other boundary treatments

shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed or be caused to die, or become seriously damaged or defective within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

- (7) Prior to commencement of the development enclosure details shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be provided prior to the occupation of the development and retained at all times.

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- (8) The development hereby approved shall not be occupied before the car parking areas shown on the approved drawing 1772 DE 20-02 Revision C have been laid out and constructed in their entirety and made available for use. Thereafter, the said car parking areas shall be retained and maintained in their approved form and used solely for the parking of vehicles and for no other purpose that would impede vehicle parking.
 - (9) A minimum dimension of 6m shall be provided between the rear of the parking bays within the parking court and shall be maintained and free from obstruction within the site at all times.
 - (10) Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation of the development and retained at all times.
 - (11) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
 - (12) Prior to the commencement of works on site the applicant shall indicate in writing to the Local Planning Authority an area within the curtilage of the site for the parking of operatives' vehicles and the reception and storage of building materials clear of the highway. Once agreed, such details shall be implemented during the course of the development.
 - (13) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include 10 All Essex Scratch card tickets.
 - (14) The maximum luminance for the light fitting to the front of the building shall not at any time exceed the standards contained within the institution of lighting engineers technical report no.5, for zone (E3) locations, which in this case is "800" Candelas per square metre (800 cd/m²).
 - (15) The fire escape barrier shown on the plans hereby approved drawing no. 1772 DE 20-02 Rev. C shall be installed prior to the first use of the flats hereby permitted and shall be permanently retained as such.
 - (16) Notwithstanding the window details shown on the submitted plans and application form, large scale plans (1:20) showing details of the replacement window for the existing fire doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The new window shall be timber

construction and paint finished to match the detail and glazing bars of existing windows in the building with single glazed and putty detail.

REASON FOR DECISION AND STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the adopted Development Plan and all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

HP6, HP10, HP11 of the Rochford District Council Adopted Replacement Local Plan

CP1, ENV4, ENV9, ENV11, T3, T8 of the Rochford District Council Core Strategy 2011

Local Development Framework Development Management Submission document

Supplementary Planning Document 2

Parking Standards Design and Good Practice December 2010

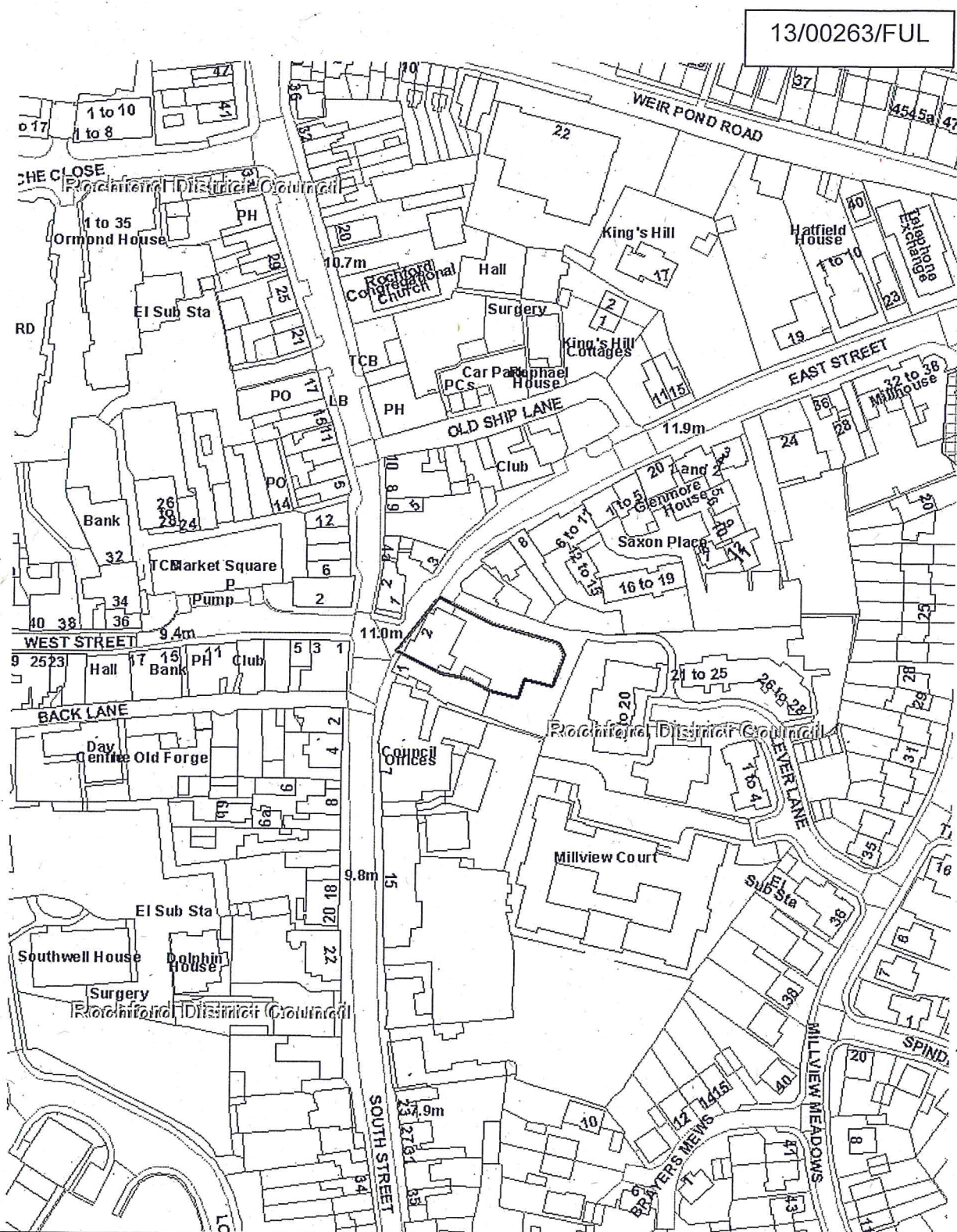
National Planning Policy Framework (NPPF)

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