



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING COMMITTEE 21st November 2002**

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

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

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

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

PLANNING COMMITTEE 21st November 2002

DEFERRED ITEM

D1	02/00662/OUT Erection Of Two Storey Block Of 4 No. Flats (Outline Application) 137-139 Ferry Road Hullbridge Hockley	Mr Lee Walton	PAGE 5
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REFERRED ITEMS

R2	02/00502/LBC Demolition of Single Storey Element to Rear of No.35, Together With Internal Alterations to Nos. 35-39 inc.and External Alterations Including Changes to Two Shop Windows 35 West Street Rochford Essex		PAGE 9
R3	02/00501/COU Change of Use of Part of Ground Floor of Nos. 35 and 37 From Shop to Residential, Together With Subdivision of 35, 37 and 39 West Street to Create a Total of 5 Self-Contained Residential Units and External Alterations Including Changes to Two Shop Windows and Erection of Boundary Wall 35 West Street Rochford Essex		PAGE 14
R4	02/00559/FUL Erection Of Two Storey Building (Plus Mezzanine Floor) Containing 4No. Flats, Demolish Existing Bungalow. 14 The Approach Rayleigh Essex		PAGE 19

SCHEDULE ITEMS

5	02/00759/FUL Refurbishment of Hall Including Alterations to Front Elevation and External Terrace Pergola Mill Hall Bellingham Lane Rayleigh	Mr Kevin Steptoe	PAGE 24
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6 02/00741/FUL Mr Peter Whitehead PAGE 28
Demolish Existing House and Erect Two Storey Block
Containing 9no. Sheltered Flats Together With
Associated Facilities.
79 Ashingdon Road Rochford Essex

PLANNING SERVICES COMMITTEE - 24th October 2002

HAWKWELL SOUTH

Cllr P A Capon

Cllr Mrs H L A Glynn

HULLBRIDGE

Cllr Mrs R Brown

Cllr D F L Flack

Cllr C R Morgan

GRANGE

Cllr C J Lumley

Cllr Mrs R J Lumley

ROCHFORD

Cllr R A Amner

Cllr Mrs L Barber

Cllr Mrs M S Vince

WHEATLEY

Cllr J M Pullen

Cllr Mrs M J Webster

PLANNING SERVICES COMMITTEE - 21st November 2002 Item D1 Deferred Item

TITLE : 02/00662/OUT
ERECTION OF TWO STOREY BLOCK OF 4. NO. FLATS
(OUTLINE APPLICATION)
137-139 FERRY ROAD HULLBRIDGE

APPLICANT: HOT GOSSIPS

ZONING: NEIGHBOURHOOD SHOPPING PARADE

PARISH: HULLBRIDGE PARISH COUNCIL

WARD: HULLBRIDGE

This item was deferred from the last meeting for a Member site visit. That has now been arranged to take place before the meeting.

To assist Members, the item and plan as they appeared previously is repeated below but incorporating the details of the petition set out in the earlier addendum.

1.1 Hullbridge Parish Council – No objections.

NOTES

1.2 This application seeks outline planning permission for the erection of a two-storey block of 4(no) flats located to the rear of number 137 Ferry Road, a parcel of land currently overgrown and unused.

1.3 Policies relevant to consideration of this item include; policy H19 (Development of small sites) that encourage 'in principle' development of small sites for housing purposes. Policy H20 (Backland development) that considers impact whether the proposal is tandem and will adversely affect the amenity of neighbouring properties with particular reference to overlooking private zones. Policy H16 (Purpose Built Flats.) This last policy states that regard should be paid to:

- The impact of traffic on the amenities of surrounding dwellings
- The relationship of storage and communal areas to surrounding dwellings and private garden areas
- Compatibility of the proposed scheme with its surroundings in terms of height, bulk and spaciousness of the site

PLANNING SERVICES COMMITTEE - 21 November 2002 Item D1 Deferred Item

- 1.4 The site is part of a Neighbourhood Shopping Parade (Policy SAT4), but set back behind one of the units fronting Ferry Road, thus retaining the shopping unit fronting Ferry Road.
- 1.5 The parade features a mix of individual styles set back from the road interspersed with open areas forming side access ways. The applicant's site forms the northern end of a short run of single storey units. The adjoining unit (139 - 143) to the north represents a much larger building of some depth and of two stories. Its mass and scale is repeated in the next unit along and is seen further to the south of the applicant's site several units away. There is a bungalow (number 135) set back behind the adjoining shop at number 133. Sited to the south of the site it is largely unaffected by loss of direct sunlight, and its orientation is regarded as away from the applicants site.
- 1.6 In principle the proposal is acceptable. Located within a central area close to shops and the public transport route through the area. Should this outline application be approved a Reserved Matters application will be required that deals with the actual details. The most important issues will be the proposed building's relationship and treatment to the existing single storey shop fronting Ferry Road; how it fits into the streetscene and the existence of the single storey bungalow adjoining the southern boundary to the rear.
- 1.7 One householder letter concerned that the proposal will cause traffic problems and overlooking. Subsequent to the inclusion of this item originally on the Weekly List, a petition signed by 8 households was received objecting in the main on the following grounds:-
- precedent;
 - road safety - extra traffic movements onto Ferry Road across the footpath near to the Zebra Crossing will be a hazard to pedestrians;
 - sunlight - the two storey building will cause a loss of sunlight in winter months;
 - noise - from the flats and cars accessing them;
 - loss of privacy - from the windows in the building;
 - devalue our properties;
 - loss of trees and attendant squirrels and birds
- 1.8 Officer comment: The County Surveyor does not object to the proposal and his requirements for visibility splay etc are required by condition. In terms of impact on residents to the rear of the site in Elm Road, the building to building distance is in excess of 60m. This is very generous by modern standards and there is no basis to resist the proposal. Also the amenity area to be retained at the bottom of the site would allow for tree cover.
- 1.9 **Anglian Water** - advisory comment re: foul and surface water drainage. **County Surveyor (Highways)** - advisory comments dealing with surface treatment of drive, width of drive, parking spaces, visibility splays. **Environment Agency** - Advisory comments concerned with watercourse, capacity of foul and surface water sewer and surface water discharge.

PLANNING SERVICES COMMITTEE - 21 November 2002 Item D1
Deferred Item

APPROVE

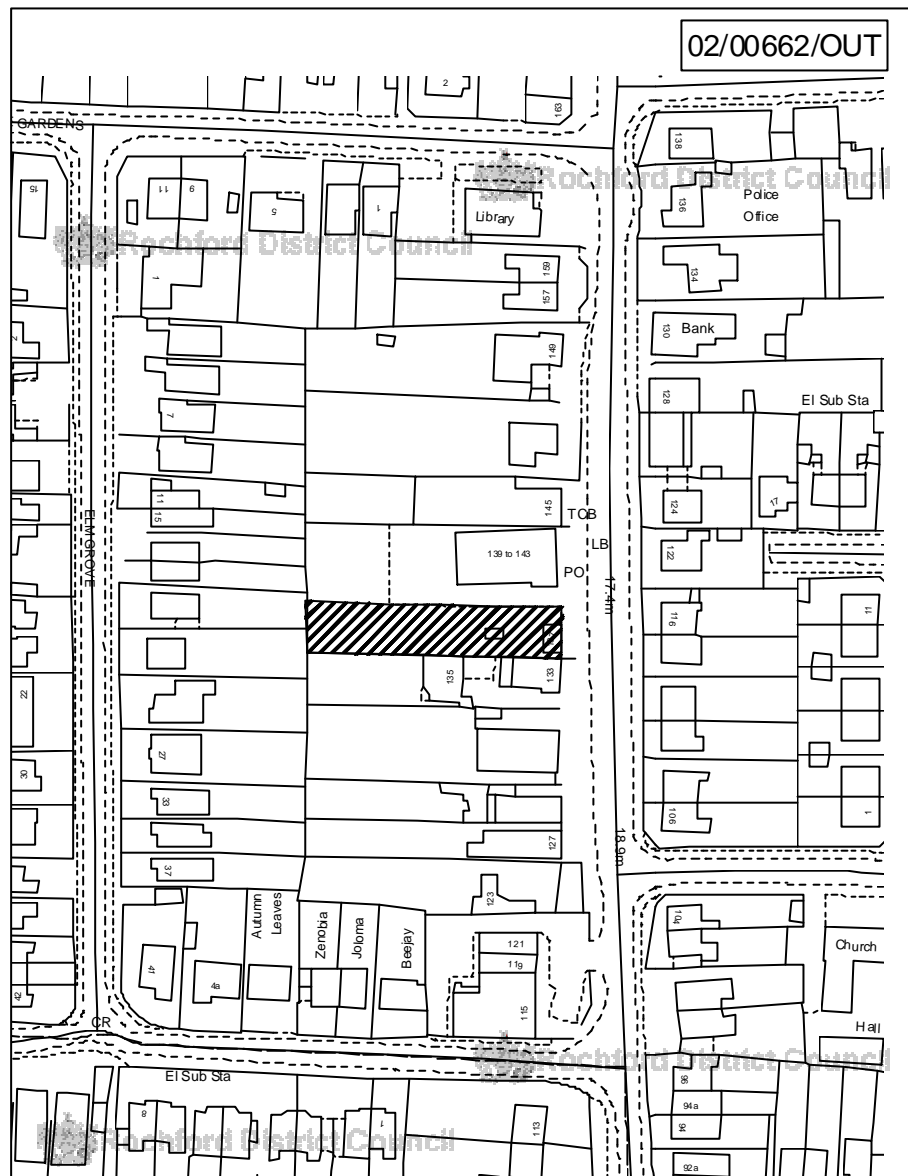
- 1 SC1 Reserved Matters - Standard
- 2 SC3 Time Limits Outline - Standard
- 3 The reserved matters details to be submitted pursuant to Condition 1 shall illustrate a building, whose height shall not exceed no. 139-143 Ferry Road. Also of particular importance will be the emphasis on the treatment of details at first floor level and how it meets no. 137 to the front of the site and defers to no. 135 to the rear.
- 4 Details of a bound surface material to be used in respect of the driveway and parking areas shall be submitted to and agreed in writing by the Local Planning Authority. Such surfacing materials as is agreed, shall be provided prior to first occupation of the dwellings hereby approved and shall, thereafter, be permanently maintained to the satisfaction of the Local Planning Authority.
- 5 SC22A PD Restricted - Windows
- 6 SC14 Materials to be Used (Externally)
- 7 A vehicle access to be constructed to a minimum width of 4.1m 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 amenity area shown on the approved drawing HG/IME-1 dated 8th August 2002 shall be set out concurrently with the erection of the block of flats and shall be ready for use prior to the first flat being occupied and shall be retained thereafter to the satisfaction of the Local Planning Authority for the shared use of the occupants of all the flat units.
- 10 The parking area shown on the approved drawing HG/IME-1 dated 8th August 2002 shall be laid out concurrently with the erection of the block of flats and shall be ready for use before the first flat is occupied and shall be retained thereafter to the satisfaction of the Local Planning Authority for use by occupants of all the flat units.

Relevant Development Plan Policies and Proposals:

H19, H20, H16, SAT4 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services



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PLANNING SERVICES COMMITTEE - 21st November 2002 Item R2
Referred Item

TITLE : **02/00502/LBC**
DEMOLITION OF SINGLE STOREY ELEMENT TO REAR OF
NO.35, TOGETHER WITH INTERNAL ALTERATIONS TO
NOS. 35-39 INC.AND EXTERNAL ALTERATIONS INCLUDING
CHANGES TO TWO SHOP WINDOWS
35 WEST STREET ROCHFORD

APPLICANT: **SOUTHEND & DISTRICT BUILDING PRESERVATION TRUST**
(EAST)

ZONING: **PRIMARY SHOPPING FRONTAGE, CONSERVATION AREA**

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHFORD**

This application was included in Weekly List no. 648 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 5th November 2002, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr Mrs M S Vince.

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

Since publication of the Weekly List, English Heritage have responded to the revised consultation confirming they are content for this Authority to determine the application without further reference to them.

2.1 Rochford Parish Council – No objection.

NOTES

- 2.2** This application is for Listed Building Consent for numbers 35, 37 and 39 West Street and their subdivision to create a total of 5 (nos.) self contained residential units. A change of use application ref. 02/0502/COU is considered concurrently with this application.
- 2.3** The proposal involves various internal and external alterations. These include the removal and/ or replacement of internal partition walls, the thickening of party walls, removal of staircases, the re-siting and addition of staircases. However, overall the principle of the internal works is acceptable.

PLANNING SERVICES COMMITTEE - 21 November 2002 Item R2 Referred Item

- 2.4 Outside to the rear it is proposed to demolish the existing rear wing to number 35. This was erected during the 1930s and its removal would allow for the re-instatement of the rear façade at number 35. There is a lack of detail in the application concerning the making good of the rear façade at number 35, but if an approval was being granted, this aspect could be covered by a condition.
- 2.5 Changes to the front elevation focus on alterations to two small scale shopfronts. The applicants initially wanted to remove both of them, insert domestic scale sash windows to match the remainder of the front elevation. However, they have agreed to repair and reinstate one of the shopfronts to number 35 but not the other shop window, they still propose its replacement with a sash window carrying through this window type from the remainder of the buildings. The window's replacement raises significant objection. The shop front forms part of the list description for the premises. The list description states: '... Number 35. 19th century shop window and door to left with 3 - light shop window to right, end pilasters with brackets enclosing the fascia. The left window and door with arched mouldings to window heads, capitals and bases to window jamb shafts, moulded cill. Fanlight over door. 2 lower panels to door. Moulded surround to right. 3 – light window...' The shop window adds character to the listed building and contributes to the wider streetscape it allows the building to be 'read' and contributes to the context of the streetscape in which it sits. PPG15 (Planning and the Historic Environment) paragraph 3.13 refers to the presence of 'cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest.'
- 2.6 Alterations and additions to listed buildings should not be permitted where they adversely affect important architectural or historic features that contribute to the listed building. PPG15's Appendix C develops the approach to be taken when considering windows in listed buildings. This does not encourage the removal of shop windows that date to before the early 20th century. PPG 15 paragraph 3.4 also requires that applicants for Listed Building Consent must be able to justify their proposal.
- 2.7 The application before Members does not present the supporting information that would be required if the proposal is to be given support. For instance, the physical remains that might identify the presence of a previous window opening for the sash type proposed could be identified by an investigation (subject to possible listed building consent) given the presence of the timber framed structure. In addition an economic analysis could help demonstrate the applicants contention that a residential unit with the window at issue serving a bedroom would result in a loss of income and saleability. The applicant advises an independent estate agent supports this contention. Actual evidence that a residential unit with a shop window would be very difficult to sell on is also required. It should not be enough simply for an estate agent's valuation to be given. This appears to have been the case in the applicant's letter of 19th September 2002 for which no further supporting information is given. There are innumerable examples of residential conversions that have successfully retained and incorporated old shop windows as part of residential conversion. In short the applicant does not provide justification for the removal of the shop window.

PLANNING SERVICES COMMITTEE - 21 November 2002 Item R2 Referred Item

- 2.8 To conclude, generally there is a lack of informed evidence presented by the applicant in support of their proposal for the loss of the shop window. English Heritage's guidance encourages 'Informed Conservation' whereby an informed decision making process is based on the presentation of knowledge in support of a particular course of action. In this case there is no supporting evidence to warrant the removal of a key feature of the listed building that contributes to its character and that of the streetscape in which it sits.

First Round Public Consultation

- 2.9 **Building Control Manager** - No details of sound insulation and fire resistance between units. Would not be prepared to drop standards. **County Planner (Historic Conservation)** - The proposed internal alterations to the building would not, in my opinion, be detrimental to its historic character. The existing partitions of the building have very little relation to the original frame of the building, whose original layout can only be an educated guess. Detailed structural specifications for the new works should be provided as part of the Listed Building application. I recommend that our advice is sought before any walls whose structure is hidden or of possible interest are removed. Externally, I do not think it desirable to remove the evidence of the buildings' use as shops by installing uniform domestic windows, as proposed. The two shop windows to the left range should be retained as far as possible and drawings produced to show any modifications. The external timber fittings to the façade, described in the statutory list, should be put back. More information and drawings are required in respect of the works at the rear of the property, including the alteration and extension of the garden wall, the new gate and the restoration of the rear wall of number 35 following the demolition of the outbuilding. **County Surveyor (Highways)** – No objections.

Second Round Public Consultation

- 2.10 **County Planner (Historic Conservation)** - I do not consider this application has yet reached the stage where I could recommend it for consent. Although we have had meetings with the agents, and I have commented in writing previously, little of my advice seems to have been taken on board. One of the shop windows would be retained. Scale drawings of at least 1:20 must be produced clearly showing joinery details and specifications of new windows. The other shop window would be removed, against the advice in my last letter, and I do not consider this acceptable without historic evidence to justify the proposed design. Rudimentary drawings only have been provided for the new garden wall, and they do not specify bonding. I do not think an arched gateway would be appropriate, and suggest brick piers and a flat topped gate, instead. No specifications have been produced for the reinstatement of the rear of the house, following the demolition of the outbuilding. All in all, little progress seems to have been made. I do not consider my requests for clear specifications and details unreasonable, yet the applicants seem most reluctant to provide essential information. Without which, I cannot recommend consent.

PLANNING SERVICES COMMITTEE - 21 November 2002 Item R2
Referred Item

REFUSE

- 1 The proposal involves the loss of an existing shop window to the principal frontage of this range of units for which, from the facts available to the Local Planning Authority, inadequate justification is given to support this change. The Local Planning Authority consider the shop window is evidence of the buildings use as a shop, that it adds character to the Listed Building and contributes to the wider streetscape and interest. Its replacement with a uniform domestic window would detract from the character and interest of this Listed Building and its setting in West Street.

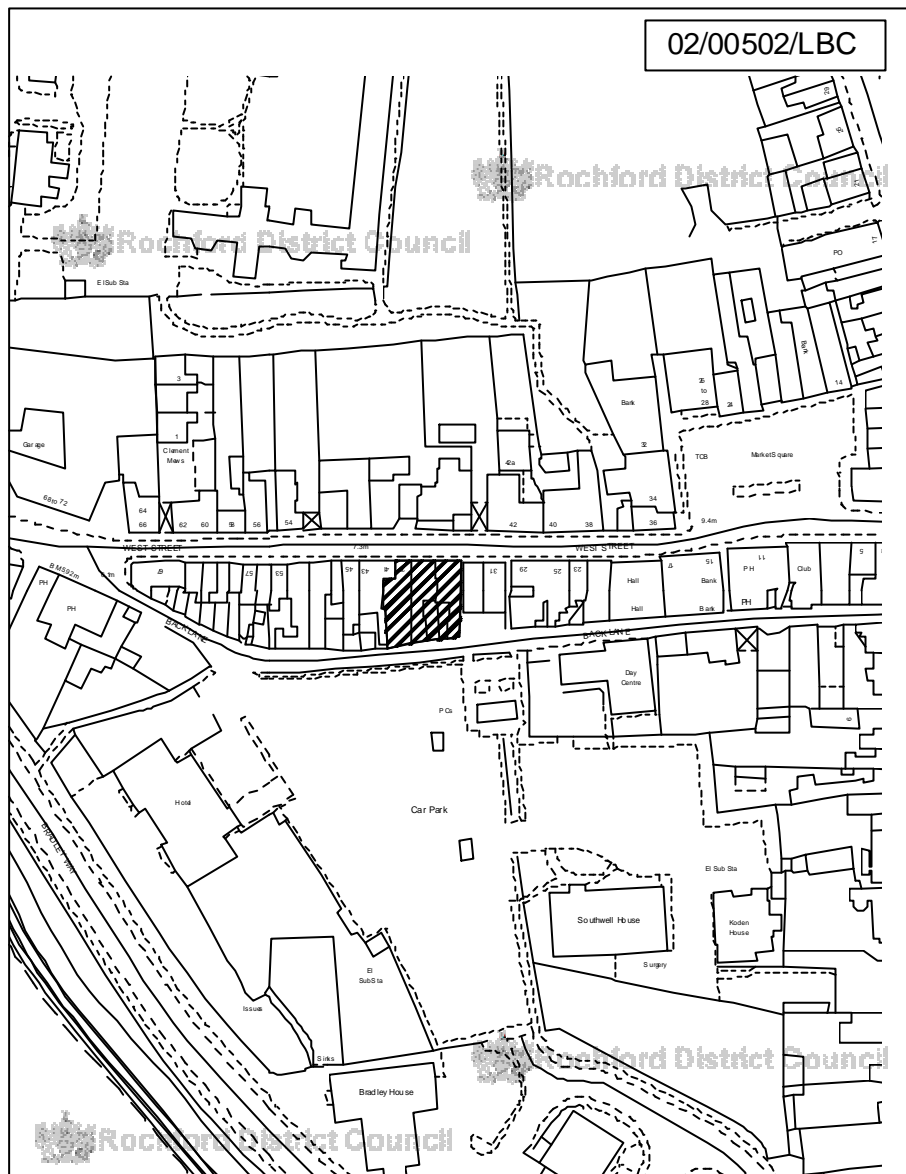
Relevant Development Plan Policies and Proposals:

UC7 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

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



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PLANNING SERVICES COMMITTEE - 21st November 2002 Item R3
Referred Item

TITLE : 02/00501/COU
CHANGE OF USE OF PART OF GROUND FLOOR OF NOS.
35 AND 37 FROM SHOP TO RESIDENTIAL, TOGETHER
WITH SUBDIVISION OF 35, 37 AND 39 WEST STREET TO
CREATE A TOTAL OF 5 SELF-CONTAINED RESIDENTIAL
UNITS AND EXTERNAL ALTERATIONS INCLUDING
CHANGES TO TWO SHOP WINDOWS AND ERECTION OF
BOUNDARY WALL
35 WEST STREET ROCHFORD

APPLICANT: SOUTHEND & DISTRICT BUILDING PRESERVATION TRUST
(EAST)

ZONING: PRIMARY SHOPPING, FRONTAGE, CONSERVATION AREA

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD

This application was included in Weekly List no. 648 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 5th November 2002, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr Mrs M S Vince.

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

3.1 Rochford Parish Council – No objection.

NOTES

- 3.2** This application is for the change of use of part of the ground floor of numbers 35 and 37 from retail to residential with the subdivision of numbers 35, 37 and 39 to create a total of 5 (nos.) self contained residential units.
- 3.3** The five residential units are accessed accordingly: the three existing doors opening off West Street (two and three bedroom units), the 4th (two bedroom unit) and 5th (one bedroom unit) are accessed via Back Lane. Four of the units centre on numbers 35 and 37 and have access to the communal garden area that also acts as 'frontage' for two of the units. Number 39 as sole use of its rear garden. There are four policy areas applicable to consideration of the proposal.

Primary Shopping Area

- 3.4 Policy SAT2 seeks to retain at least 75% of frontages for Class A1 use, with not more than 15 metres of non-retail frontage in a continuous run. The policy requires that any non-retail uses permitted should complement and support the prime function of the area as a place to shop. It has been held previously on appeal by Inspectors that residential serves this function.
- 3.5 Currently some 63-64% of the shopping frontage is in Class A1 use and ideally it may be preferable to limit the proportion of non-retail frontages as set out in SAT2. However, in reality it is considered that it is better to have individual units trading or in use rather than remaining vacant. Long term vacancy has the potential to undermine the whole commercial centre. Indeed, these three units have been vacant long term and were undermining the vitality and viability of West Street promoting the compulsory purchase action by the Authority. The 75% figure should be used as a guide and not prescriptively.

Residential

- 3.6 In addition to primary shopping area policy other considerations include reference to policy H11 and Appendix 1 that deals in detail with matters such as garden area, parking etc. The four units that are accommodated within the existing units at 35 and 37 have access to a communal garden of about 70 square metres. Policy requires for flats a minimum of 100 square metres for the number of units that are sought. The site's central location: proximity to recreational land (Bradley Way) generally encourages the proposal in this aspect as does the site's proximity to public transport links and relationship to the available public car park in Back Lane given the lack of car parking provision on site. Central government planning policy guidance relevant to the consideration of this application includes: PPG 3 (Housing), 6 (Town Centres) and 13 (Transport). These encourage generally a positive and more flexible approach with regard to densities, car parking, amenity space (PPG3) centred on public transport nodes (PPG13) encouraging new uses for vacant buildings (PPG6).

Rochford Conservation Area

- 3.7 The Council has a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in exercising its planning functions: Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 3.8 Policy UC3 (Conservation Areas) requires a high standard of design, reflecting the traditional character of the conservation area. West Street has had a number of residential conversions that have retained the shop windows that in turn help to preserve the character of West Street. The applicant has indicated in their supporting letter that the reason for pursuing the removal of the window, as explained in detail in the preceding Listed Building application on the Weekly List, replacing it with a more uniform sash type is based on the saleability of the unit (37a). Conversion to residential accommodation is a relatively common occurrence not only in West Street, but is evident in many other historic towns. The principle is supported but not the loss of one of the existing shop windows to 35 West Street.

Listed Building

- 3.9 An application for Listed Building Consent (02/00502/LBC) is considered concurrently with this item. The proposed external alterations are briefly touched on here. Of particular concern is the loss of the Victorian shop window currently part of number 35 that would form the bedroom window for unit 37a. The preceding item sets out in full the issues and the recommendation that this loss be resisted.

Conclusion

- 3.10 This application for change of use and consequential alterations should be refused on the basis of its impact and effect on the listed building, and character of the conservation area.

First Round Public Consultation

- 3.11 **Building Control Manager** - No details of sound insulation and fire resistance between units. Would not be prepared to drop standards. **County Planner (Historic Conservation)** - I do not think it desirable to remove the evidence of the buildings' use as shops by installing uniform domestic windows, as proposed. The two shop windows to the left range should be retained as far as possible and drawings produced to show any modifications. The external timber fittings to the façade, described in the statutory list, should be put back. More information and drawings are required in respect of the works at the rear of the property, including the alteration and extension of the garden wall, the new gate and the restoration of the rear wall of number 35 following the demolition of the outbuilding. **County Surveyor (Highways)** – No objections.

Second Round Public Consultation

- 3.12 **County Planner (Historic Conservation)** - I do not consider this application has yet reached the stage where I could recommend it for consent. Although we have had meetings with the agents, and I have commented in writing previously, little of my advice seems to have been taken on board. One of the shop windows would be retained. The other shop window would be removed, against the advice in my last letter, and I do not consider this acceptable without historic evidence to justify the proposed design. Rudimentary drawings only have been provided for the new garden wall, and they do not specify bonding. I do not think an arched gateway would be appropriate, and suggest brick piers and a flat topped gate, instead. No specifications have been produced for the reinstatement of the rear of the house, following the demolition of the outbuilding. All in all, little progress seems to have been made. I do not consider my requests for clear specifications and details unreasonable, yet the applicants seem most reluctant to provide essential information. Without which, I cannot recommend consent.

REFUSE

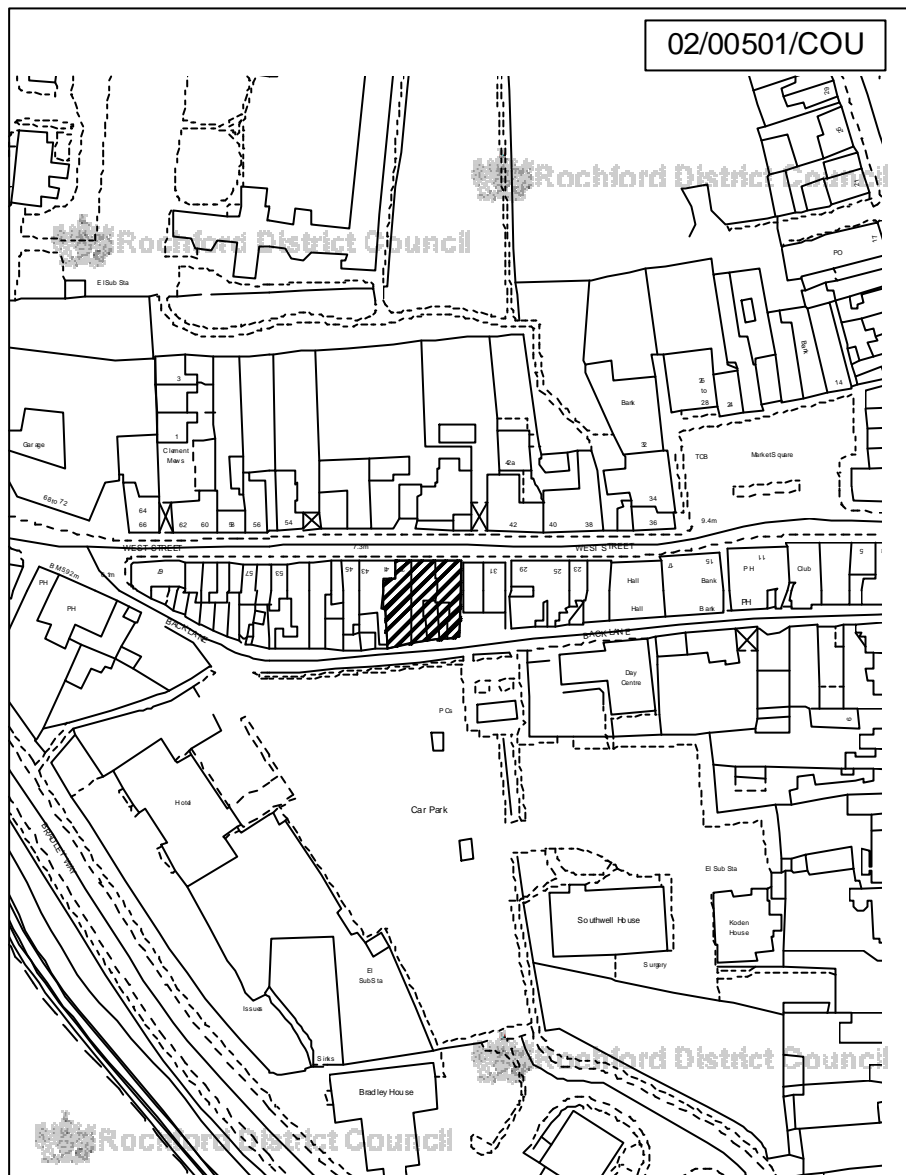
- 1 The proposal involves the loss of an existing shop window to the principal frontage of this range of units for which, from the facts available to the Local Planning Authority, inadequate justification is given to support this change. The Local Planning Authority consider the shop window is evidence of the buildings use as a shop, that it adds character to the Listed Building and contributes to the wider streetscape and interest. Its replacement with a uniform domestic window would detract from the character and interest of this Listed Building and its setting in West Street.

Relevant Development Plan Policies and Proposals:

SAT2, UC3, UC7, H11 of the Rochford District Local Plan First Review

Shaun Scrutton
Head of Planning Services

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PLANNING SERVICES COMMITTEE - 21st November 2002 Item R4

Referred Item

TITLE : 02/00559/FUL
ERECTION OF TWO STOREY BUILDING (PLUS MEZZANINE FLOOR) CONTAINING 4NO. FLATS, DEMOLISH EXISTING BUNGALOW
14 THE APPROACH RAYLEIGH

APPLICANT: MR N ROGERS

ZONING: RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: GRANGE

This application was included in Weekly List no. 648 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 5th November 2002, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr C J Lumley.

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

- 4.1 **Rayleigh Town Council** – object to this application as it is considered to be an over-development of the site and visually intrusive.

NOTES

- 4.2 The application proposes the demolition of the existing bungalow, and the erection in its place of a building containing 4no. one bed flats. The building will be 8.8m in height. The building will be two storey, with mezzanine study accommodation contained within the roofspace.
- 4.3 The application site lies within a short stretch of bungalows and chalets. However, The Approach as a whole is an extremely mixed street, with long stretches of two storey properties, both further down the road and closer to its junction with London Road. In addition, it is also noted that two storey commercial buildings lie opposite the application site.
- 4.4 In terms of its scale and siting, it is considered that the building is of comparable height and mass to a conventional two storey dwelling. Whilst mezzanine accommodation is proposed in the roofspace, it is not considered that this element causes any harm; the proposal remains a two storey building in terms of its height and visual mass. The juxtaposition of bungalows sited next to two storey dwellings already exists in The Approach, and in other streets in the same general area. It is not considered that the development would appear out of place or scale in this context.

PLANNING SERVICES COMMITTEE - 21st November 2002 Item R4 Referred Item

- 4.5 The application as originally submitted proposed parking in the back garden, reached by an access drive. This arrangement was considered likely to result in noise and activity, and revised plans were subsequently produced resiting the parking area to the front of the building. Four spaces are now proposed to the site's frontage, end-on to the road. This complies with the emerging vehicle parking standards and PPG guidance given proximity to public transport, and is acceptable to ECC Highways in highway safety terms.
- 4.6 The siting of the building complies with the Council's normal requirements in terms of its siting in relation to boundaries, and the 45 degree rule. The proposal also complies with the Council's normal standard in terms of the back-to-back distance between its rear elevation and those of properties in Glebe Close, which lies behind the site.
- 4.7 The building features balcony enclosures to the front elevation which, because of their position, could not result in overlooking of neighbouring properties. However, the first floor rear elevation also features a door and balustrade feature which, whilst not projecting out, could result in a loss of privacy to neighbours. A condition is therefore proposed requiring that this feature be deleted, and replaced by a standard window.
- 4.8 Two rounds of consultation took place - the first upon receipt of the application, the second upon receipt of revised plans showing amended parking arrangements, and amending the siting of the building.

First Round

- 4.9 **County Surveyor (Highways)** - no objection, subject to conditions
- 4.10 **Anglian Water** - details of foul and surface water drainage to be submitted and approved
- 4.11 Rayleigh Civic Society - the proposal appears cramped, detrimental to visual amenity, and an over-development of the site by reason of its height. It would be visually intrusive to the outlook of the occupiers of the surrounding properties and give rise to overlooking and loss of privacy due to the first floor elements of the flats.
- 4.12 Five letters of representation were received in respect of the first round of consultation. The broad grounds of objection are as follows:
- Height of building - a 3 storey building next to bungalows
 - Out of character
 - Overlooking
 - Parking is insufficient
 - Access is proposed on a dangerous bend
 - The provision of balconies would be incongruous

PLANNING SERVICES COMMITTEE - 21st November 2002 Item R4 Referred Item

Second Round

- 4.13 **Rayleigh Town Council** - reiterates its earlier views
- 4.14 **County Surveyor (Highways)** - de minimis
- 4.15 **Anglian Water** - reiterates its previous response
- 4.16 **Rayleigh Civic Society** - reiterates its previous response
- 4.17 Two further letters of objection were received, which echo previous concerns

APPROVE

- 1 SC4 Time Limits Full – Standard
- 2 SC9A Removal of Buildings Prior to Dev
- 3 SC14 Materials to be Used (Externally)
- 4 SC23 PD Restricted - OBS Glazing
- 5 SC50A Means of Enclosure – Full
- 6 SC59 Landscape Design - Details (Full)
- 7 Prior to the commencement of the development hereby approved, details of the surfacing material to be used for the parking spaces to serve the flats shall be submitted and approved by the local planning authority. The details shall indicate the use of a bound material.
- 8 SC76 Parking Space
- 9 Prior to the occupation of any of the flats the vehicular access to the site shall be widened to provide access to the four spaces illustrated on the submitted plan, and splayed to a suitable drop kerb crossing.
- 10 Notwithstanding the submitted plans hereby approved, the door/window and balustrade features to the first floor rear elevation of the building and outlined and hatched in BLACK on the plans returned herewith shall not be provided. These features shall be replaced by windows with brickwork below, the details of which shall be illustrated on amended plans that shall be submitted and approved by the local planning authority prior to the commencement of the development.
- 11 SC90 Surface Water Drainage
- 12 SC91 Foul Water Drainage

**PLANNING SERVICES COMMITTEE - 21st November 2002 Item R4
Referred Item**

Relevant Development Plan Policies and Proposals:

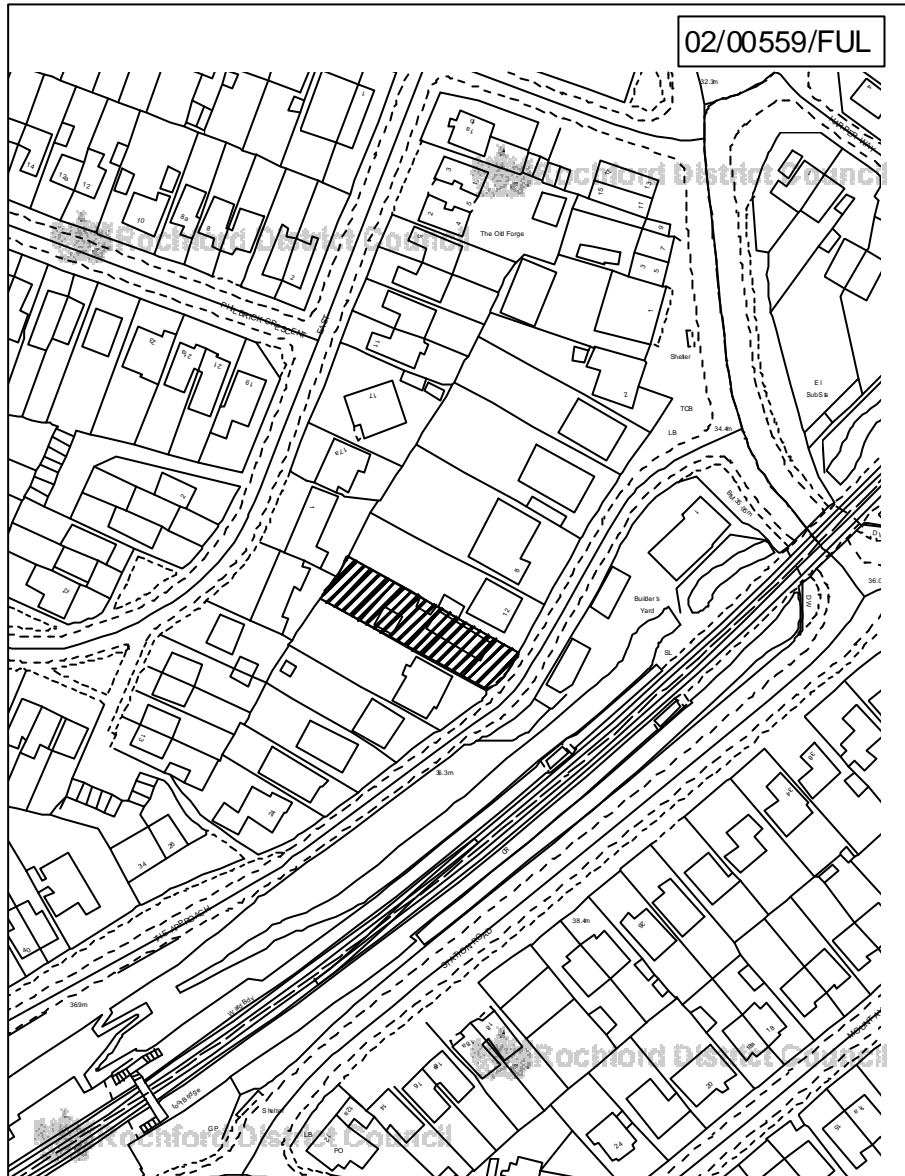
H16 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

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

02/00559/FUL



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NTS



TITLE : **02/00759/FUL**
REFURBISHMENT OF HALL INCLUDING ALTERATIONS TO
FRONT ELEVATION AND EXTERNAL TERRACE PERGOLA
MILL HALL, BELLINGHAM LANE, RAYLEIGH

APPLICANT : **HOLMES PLACE**

ZONING : **COMMUNITY USE**

PARISH: **RAYLEIGH TOWN COUNCIL AREA**

WARD: **WHEATLEY**

PLANNING APPLICATION DETAILS

- 5.1 General refurbishment works are proposed to the building. These include renewal of the frontage glazing, installing electric doors, a canopy at door top level and a further brise soleil canopy above the first floor windows to increase shading, repainting and rendering. To the existing side terrace an area would be installed with raised decking and a pergola installed with height 2.5m. No alteration is proposed to the overall extent or level of the terrace as it currently exists.
- 5.2 Banner signage shown on the proposals drawings would have to be the subject of separate advertisement consent and the applicants have been advised of this.

RELEVANT PLANNING HISTORY

- 5.3 Application ROC/361/86 change of use of a meeting room to a coffee lounge with separate entrance. Application 00/00064/FUL, Revised and extended car parking layout.

CONSULTATIONS AND REPRESENTATIONS

- 5.4 The **Head of Housing Health and Community Care** has no adverse comments.
- 5.5 **Rayleigh Town Council** has no objections
- 5.6 Rayleigh Civic Society makes comments in relation to internal details, additional suggested repairs and an additional suggested emergency exit for the creche.

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- 5.7 The National Trust supports the development but points out that there have been occasional problems of vandalism, illegal access and littering of the Mount from the Mill terrace. The Trust is keen to ensure that existing shrub screening is maintained, the level of decking is not significantly higher than the terrace and that there is no use of the terrace which may exacerbate the current situation. It also suggests detailed landscaping proposals, to be agreed with its local committee.

MATERIAL PLANNING CONSIDERATIONS

Visual Impact

- 5.8 The main issue in this instance would appear to be the change to the visual appearance given its location within the Conservation Area. As Members will know the building is of a modern design. The adaptations that are proposed are of a limited nature, in the main renewing the original features of the building.
- 5.9 From the frontage the most noticeable visual change will be the addition of the canopy and the application of rendering to the building. The canopy itself is a modest addition, supported on the building without further vertical support. It will protrude by some 2.2m.
- 5.10 The application of rendering will be a noticeable change, due to the existing dark colour of the bricks from which the building is constructed. It is not considered that this is a harmful change, and indeed is beneficial in terms of giving the building a less 'dour' appearance. Control over the colour to be applied to the render (by condition) would ensure that it has an acceptable impact. The use of rendering is not uncommon in the area.
- 5.11 The terrace to the side is largely out of public view, even from the footway which links to the Mount, largely due to the fall in level of the footway. It is not considered that the proposed pergola will have any significant or harmful impact on the limited views of the building from the Mount. For both the terrace and the frontage it is considered that the character of the Conservation Area is maintained. Because of this limited possibility of views it is not considered that any further landscaping proposals are required.

Other Issues

- 5.12 The concern expressed in relation to the inappropriate use of the terrace is largely an issue for the management staff at the site to address. It has been clarified that the decking will raise the level of the terrace by only some 10-15cm, that is by the height of the existing step from the main building onto the terrace. It is not considered that the enhancements proposed could be identified as exacerbating the current situation. In addition, the problem has been identified as occurring only occasionally and it is considered that the benefit of the improved facilities to the majority of persons who use and enjoy them responsibly outweighs any harm.

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- 5.13 In relation to the issue of an additional emergency exit to the creche area, this has been assessed by the Building Control Officers and, taking into account the internal changes which are proposed, the emergency exit arrangements are considered acceptable.

CONCLUSION

- 5.14 The refurbishment would appear to benefit the users of the existing facility and encourage greater use of it. In terms of the visual impact the proposals are acceptable and do not detract from the Conservation Area status of the area. It is not considered that there are any other harmful impacts of the development to which such weight could be attached that permission should be withheld.

RECOMMENDATION

- 5.15 It is recommended that this Committee **RESOLVES** that **APPROVAL** be granted subject to the following heads of condition:

- 1 SC4 Time Limits
- 2 Details of the colour treatment to be applied to the render.

Relevant Development Plan Policies and Proposals

UC1, UC3, of the Rochford District Local Plan First Review

CS1, CS2, HC2, TCR3 of the Essex and Southend-on-sea Replacement Structure Plan



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Head of Planning Services

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TITLE : 02/00741/FUL
DEMOLISH EXISTING HOUSE AND ERECT TWO STOREY
BLOCK CONTAINING 9NO. SHELTERED FLATS,
TOGETHER WITH ASSOCIATED FACILITIES
79 ASHINGDON ROAD ROCHFORD

APPLICANT : MRS C SANDERSON

ZONING : RESIDENTIAL

PARISH: HAWKWELL

WARD: HAWKWELL SOUTH

PLANNING APPLICATION DETAILS

- 6.1 The application proposes the demolition of the existing house, and the erection in its place of a two storey block containing a total of 9no. sheltered flats. The building will have a 47.5 degree pitched roof, giving the building an overall height of 10.9m.
- 6.2 A total of four parking spaces are proposed, together with a fifth space for ambulance access.
- 6.3 The site lies on the corner of Roche Avenue and Ashingdon Road, at its junction with Dalys Road. Development in Roche Avenue largely comprises bungalows, although Suffolk Court, a two storey flatted development, lies on the opposite side of the road to the application site. A two storey terrace of shops with flats above lies on the opposite side of Ashingdon Road. Two storey development prevails along Ashingdon Road and, indeed, in the recent development carried out on the former hospital site, situated on the wedge of land between Ashingdon Road and Dalys Road. Open land forming the playing fields of St Teresa's RC Primary School lies to the north of the site.
- 6.4 Three trees on the site are the subject of a Tree Preservation Order, a Silver Birch close to the frontage with Roche Avenue, and a Lime and an ornamental Cherry close to the boundary with Ashingdon Road.
- 6.5 The current application follows several earlier applications for flatted development on this site. The last application, ref. 01/00269/FUL, proposed a building that was part two storey and part three storey. The parking/access areas were proposed beneath the canopies of all three preserved trees. The application was dismissed on appeal for reasons relating to the bulk, height and overall design of the building, and impact the parking/turning areas would have upon the roots of the preserved trees. The Inspector concluded, viz:

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'It seems to me that a much less intensive development limited to two storeys and creating less demand for hard surfaced areas would fit more comfortably into the street scene and avoid potential harm to the trees.'

RELEVANT PLANNING HISTORY

- 6.6 99/00199/OUT - outline application for 3 storey block containing 16 flats for elderly persons, together with 1 warden's flat. Refused.
- 6.7 99/00726/OUT - outline application for part two/three storey building containing 14 retirement apartments. Refused, appeal dismissed.
- 6.8 01/00269/FUL - application for 10 elderly persons flats with communal facilities. Refused, appeal dismissed.

CONSULTATIONS AND REPRESENTATIONS

- 6.9 **Essex County Council Highways** - recommends standard conditions to be imposed on any permission granted.
- 6.10 **Woodland and Environmental Specialist** - notes that the high amenity value of the preserved trees on the site has previously been highlighted by himself and appeal Inspectors. He notes that in the case of the previous appeal, the actual building was far enough away from the trees to avoid direct harm or future pressure for their removal from residents, but that in the new application has moved the development closer to the trees. The corner of the building will be 1.5m from the Silver Birch, about 1.2m from the Cherry and actually within the canopy of the Lime. He considers that any slight wind would cause the Birch and Cherry to come into contact with the building and that there will therefore be pressure for the removal of the trees from the residents of the flats. He considers that there is no allowance for the further growth of the trees, as recommended in the British Standard: Trees in Relation to Construction. With regard to the Lime, he notes that part of its canopy will have to be removed in order to construct the building, and considers that such removal will have to be permanent and will reduce the tree's amenity value and possibly its future viability.
- 6.11 **Housing Health and Community Care** - no adverse comments, subject to conditions requiring the submission of a method statement, to prevent the provision of external equipment or openings in the walls or roof, together with Standard Informative SI16 (Control of Nuisances).
- 6.12 Two letters have been received objecting to the proposal on the following broad grounds:
- Loss of existing attractive showpiece dwelling of 20s/30s character
 - Devaluation of property
 - Preserved trees will be impacted upon by the plans
 - Unused/derelict properties in Rochford could be converted to elderly persons accommodation

- Loss of view and light
- Lack of parking on the site will result in overflow/congestion into surrounding roads

MATERIAL PLANNING CONSIDERATIONS

- 6.13 The site lies within an area allocated for residential purposes in the Rochford District Local Plan First Review. Notwithstanding this, any proposal must be compatible with the surrounding area in terms of its scale, traffic generation, parking, etc.
- 6.14 Policies H17, which deals specifically with sheltered accommodation, contains a number of criteria, against which this application should be considered. The appeal decisions in respect of the previous proposals are also material to the consideration of this application.
- 6.15 **Scale and Appearance**
The application site is situated on a prominent corner of Ashingdon Road, a site highly suitable, it is considered, for a key landmark building. Development fronting Ashingdon Road at this point is predominantly two storey, comprising dwellings, a parade of shops/flats and elderly persons flats (Suffolk Court). Development in Roche Avenue, adjacent to the site, is largely comprised of single storey dwellings.
- 6.16 Previous proposals relating to this site have comprised a mixture of two storey/three storey accommodation in various proportions. All of these proposals have been refused permission on grounds of scale, mass and height, having regard to the scale of surrounding development. Indeed, the Inspector dealing with the most recent appeal (ref. 01/002689/FUL) concluded similarly that the scale of the building was too great, and that the resultant proposal constituted a cramped over-development of the site. His broad conclusion was that three storey development would not be appropriate on this site and that '*a much less intensive development limited to two storeys... would fit more comfortably into the street scene.*'
- 6.17 The current application proposes a two storey building, having an overall height of 10.9m. The building dismissed on appeal was 12.2m in height, reducing to 9.7m., the highest part of the building being the full three storey element fronting Ashingdon Road. Besides the obvious reduction in height of the part of the building fronting Ashingdon Road, it is considered that overall the reduction in visual bulk is also marked.
- 6.18 In the context of surrounding development, it is fair to say that the current proposal will be higher than other two storey development in the area. In the cases of Suffolk Court and the flats/shops opposite though, the buildings are of lesser height because they have shallow pitched roofs that, by today's standards, are considered visually poor and unrepresentative of vernacular Essex architecture. Pitched roofs of a similar pitch to the current proposal are well represented in the Heritage Place development, situated between Dalys Road and Ashingdon Road.

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- 6.19 In terms of impact upon the Roche Avenue, it is considered that the location of the building, and the spatial separation between the bungalow development in the road is such that the proposal will not readily 'read' as part of that street scene. It is concluded that in terms of its scale and siting the building will be compatible with the surrounding area.
- 6.20 **Residential Amenity**
In terms of impact upon neighbours, it is noted that a distance of 6.6m will be maintained between the side of the building, and the boundary with the adjacent property, No.2 Roche Avenue. The proposal complies with the '45 degree rule', used to ensure adjoining properties are not unduly overshadowed and do not suffer undue light loss. Moreover, given the distance the proposed building will be set in from the boundary, it is concluded that the proposal will not be overbearing as viewed from the adjoining property.
- 6.21 **Traffic Implications**
The application proposes the construction of a new access onto Roche Avenue. Both existing accesses onto Ashingdon Road will be stopped-up. The application also proposes a total of five car parking spaces, including one for ambulance access. This complies with the emerging vehicle parking standards and general thrust of recent government guidance. Essex County Council Highways raises no objection to these arrangements, subject to standard conditions.
- 6.22 **Unit Occupancy**
Given that the application proposes sheltered housing, and reduced parking standards that are applicable to such accommodation, a planning condition is recommended to ensure that occupation of the building is restricted to persons over the age of 55. This is consistent with other recent decisions.
- 6.23 **Protected Trees**
As noted above, there are three preserved trees on the site, a Silver Birch towards the boundary with Roche Avenue, together with a Cherry and a Lime to the frontage with Ashingdon Road.
- 6.24 In respect of the previous scheme, the driveway was proposed beneath the canopies of all three trees and the appeal Inspector concluded that this arrangement would likely be detrimental to the health of the trees. In the current scheme, no construction is proposed beneath the trees, though the building will still be constructed in close proximity to them. In this regard, attention is drawn to the views of the Council's Woodland and Environmental Specialist, above. Whilst these views are noted and understood, the question is whether the impact on the trees is now such that refusal could reasonably be substantiated.
- 6.25 The elevation of the building facing the Silver Birch is articulated such that two gabled elements will project out further than the remainder of the building. This will mean that one corner of the building will be situated approximately 1.5m from the extreme edge of the canopy of the tree. The remainder of this elevation of the building is recessed to allow for the spread of the tree canopy, such that it will be situated 2m or more from the extreme edge of the canopy of the tree.

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- 6.26 It is considered that there is sufficient room to construct the building without affecting the tree.
- 6.27 It is noted that bedroom windows in the building will face towards the Silver Birch, and will be situated approximately 2m from the extreme edge of the canopy. This relationship is not unusual, and it is not considered that such a relationship will inevitably lead to the loss of the tree, because of concerns raised by the residents of the flats.
- 6.28 With regard to the Lime and Cherry, it is noted that the previous appeal Inspector considered the location of the building relative to the trees was such that it would avoid direct harm to them. Even so, the proximity of the trees to the building would have been such that some pruning of the extreme edge of the canopy would have been necessary, and the Inspector must have been mindful of this in drawing his conclusions. Such minor work is common practice and would not, it is considered, have detrimentally affected the trees' health or amenity value.
- 6.29 In the case of the current application, the main side wall of the building is proposed in exactly the same location relative to the Lime and Cherry. However, the elevation includes several gable elements, one of which will bring the building some 50cm closer to the Lime tree.
- 6.30 As in the case of the previous appeal, some trimming of the tree will be necessary to accommodate the development and retain the tree. However, the question is whether the trimming now necessary exceeds that clearly considered to avoid direct harm to the tree as found to be the case in the previous appeal.
- 6.31 The area of the crown of the tree affected comprises the extreme canopy of the tree - the tiniest branches. No major limbs will be affected. Moreover, the area affected faces away from Ashingdon Road, and is it not considered that the pruning necessary to accommodate the building will noticeably affect the appearance or amenity value of the tree. Accordingly, whilst the views of the Council's Woodlands and Environmental Specialist are acknowledged, having regard to the views of the previous Inspector and the modest amount of pruning necessary in this case, it is considered that a reason for refusal based upon impact upon the trees would be very difficult to substantiate.

CONCLUSION

- 6.32 The application proposes the erection of a two storey block containing 9no. sheltered flats. The application follows the refusal of a number of previous schemes for two/three storey flatted development, for reasons related to the scale of the building, and the impact upon preserved trees.
- 6.33 The current application proposes a two storey block, which is considered appropriate both in terms of its design and scale. It is concluded that it will be compatible both in terms of the general street scene and in terms of its relationship with adjoining properties.

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- 6.34 The application has been fully considered having regard to the preserved trees on the site. It is concluded that the development will not cause demonstrable harm to the trees. Trimming/shaping of the Lime or other trees can take place as part of sound tree management. The danger to the health and viability of the trees proposed by the introduction of hard surfacing beneath them in the previous scheme has been resolved by the new layout.

RECOMMENDATION

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

- 1 SC4 Time Limits
- 2 SC14 Materials to be Used
- 3 SC23 Obscure Glazing
- 4 SC50 Means of Enclosure
- 5 SC60 Tree Protection
- 6 Prior to the commencement of the development hereby approved, full written details of the works required to be carried out to the preserved trees on the site in order to construct and accommodate the development shall be submitted to and be approved in writing by the local planning authority. The works to the trees shall thereafter be carried in strict accordance with the agreed details.
- 7 SC59 Landscaping
- 8 SC90 Surface Water Drainage
- 9 SC91 Foul Water Drainage
- 10 The residential units hereby permitted or any part thereof shall not be occupied, under-let, shared by or with any person under the age of 55 at the date of occupation.
- 11 Prior to the occupation or completion of the development hereby approved, whichever is the sooner:-
 - A) The new vehicle access illustrated on the submitted plans hereby approved shall be constructed to a width of 4.1m with a suitable splay from the highway boundary to the dropped kerb crossing;
 - B) The existing vehicle accesses onto Ashingdon Road shall be permanently closed. The existing dropped kerbs shall be removed and the areas of the existing accesses constructed/surfaced or landscaped such that in terms of their appearance they marry with the pavements or grass verges either side;
 - C) A pedestrian visibility splay of 1.5m x 1.5m, as measured from the back of the footway shall be provided either side of the new access onto Roche Avenue with no obstruction above 600mm within the area of the splay; and,
 - D) The parking/turning area illustrated on the submitted plan hereby approved shall be constructed and surfaced with a bound material, details which shall have been previously submitted and agreed in writing by the local planning authority, and shall thereafter be permanently retained and maintained free of any such impediment to its designated use.
- 12 SC85 Method Statement

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



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