



**Rochford District
Council**

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY THE
DEVELOPMENT CONTROL COMMITTEE – 24 JULY 2008**

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars and any development, structure and local 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 And Transportation, Acacia House, East Street, Rochford and can also be viewed on the Council's website at www.rochford.gov.uk.

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INVESTOR IN PEOPLE

Ward Members for Committee Items

HAWKWELL SOUTH

Cllr P A Capon

Cllr Mrs H L A Glynn

HULLBRIDGE

Cllr Mrs R Brown

Cllr Mrs L A Butcher

Cllr P R Robinson

SCHEDULE ITEMS

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| | Demolish Existing Dwelling and Construct Two Storey
Pitched Roofed Building to Provide 3 No. One
Bedroomed and 5 No. Two Bedroomed Age
Restricted Flats. Close Existing Access and Form
New Access With Parking Areas and Bin Store to
Front and Fence to Side.
299 Ferry Road Hullbridge | | |
| Item 2 | 08/00365/FUL | Miss Katie Simpson | PAGE 13 |
| | Construct 2 No. One Bedroomed Bungalows With
Linked Garage and Parking Area. Access Off
Wendon Close.
Land Adjoining 71 Rectory Road Hawkwell | | |

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**TITLE : 08/00576/FUL
DEMOLISH EXISTING DWELLING AND CONSTRUCT TWO
STOREY PITCHED ROOFED BUILDING TO PROVIDE 3 NO.
ONE BEDROOMED AND 5 NO. TWO BEDROOMED AGE
RESTRICTED FLATS. CLOSE EXISTING ACCESS AND
FORM NEW ACCESS WITH PARKING AREAS AND BIN
STORE TO FRONT AND FENCE TO SIDE
299 FERRY ROAD HULLBRIDGE**

APPLICANT : MR R HILLIARD

ZONING : RESIDENTIAL

PARISH: HULLBRIDGE

WARD: HULLBRIDGE

PLANNING APPLICATION DETAILS

- 1.1 This application is to a site on the western side of Ferry Road 95m south of the junction with Pooles Lane.
- 1.2 On the site exists a detached chalet bungalow. The site is the last in a group of dwellings set in generous plots opposite the public car park and bus turn around at the end of Ferry Road. Two Pine trees located in the front garden of the site are the subject of Tree Preservation Order 35/83.
- 1.3 The current application seeks permission for a two storey pitched roofed building comprising five two-bedroomed and three one-bedroomed age restricted flats primarily for persons approaching and in retirement from 55 years of age.
- 1.4 The existing access to the southern side of the site would be closed and a new access formed on the northern side adjacent the access to the nature reserve and sub station. The front of the site would be laid out to provide eight independently operable car parking spaces, together with provision of a bin store. No elevational details of the bin store have been provided.
- 1.5 The proposal also includes provision of a 1.4m high panel fence rising to 1.9m high along the side of the building proposed to the northern boundary of the site.

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RELEVANT PLANNING HISTORY

Application No. 07/00217/FUL

Demolish existing dwelling and erect two storey building to provide 8 No. one-bedroomed flats with parking to the front for 10 vehicles and amenity area to the rear.

Permission refused 19 June 2007.

Application No. 07/00696/FUL

Demolish existing dwelling and construct two storey building to provide 8 No. one-bedroomed flats with parking to front and amenity area to rear.

Permission refused 25 September 2007.

Application No. 08/00198/FUL

Demolish existing dwelling and construct three storey building comprising nine age restricted flats with associated parking, amenity areas and bin store.

Permission refused 22 May 2008 for the following reasons:-

1. The proposal, given the characteristics of the locality, represents an over-development of the site to a density of 75 units per hectare in conflict with the Council's policy HP3 and Planning Policy Statement 3: Housing. If permitted, this would result in a building of a size and design out of character with the area and prevailing street scene, particularly given its close proximity to the nature reserve and the intrusive appearance of the wall/railings along the long northern boundary.
2. The provision of 7 car parking spaces is considered inadequate to serve the 9 flats proposed having 15 bedrooms and would, if allowed, result in increased on street parking in adjacent streets to the detriment of visual amenity and the free flow of traffic and highway safety.

CONSULTATIONS AND REPRESENTATIONS

- 1.6 **Environment Agency:** Proposal falls outside the scope of matters on which the agency is a statutory consultee and therefore no comments to make.
- 1.7 **Woodlands Section:** The bat report addresses any bat/bat roost related concerns. However, the site backs onto a Local Nature Reserve and is close to an SSSI. No comment or consideration has been given to either the impact it may have on these areas and/or the likelihood of protected species being present within the area from either of these connected statutory conservation sites.
- 1.8 Three letters have so far been received in response to the public notification and which in the main state the following comments and objections:-

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- Hullbridge is now changing beyond all reasonability with over development especially the river end of Ferry Lane;
- Village outlooks have disappeared;
- Irreversible change into urban sprawl with its associated problems;
- Concern for tree in the front garden;
- Traffic congestion and increased traffic near to schools;
- Council should make a stand at this over-development;
- Foul water system unable to cope at certain times of year and during heavy rainfall;
- Loss of character from these flatted developments;
- Parking overnight in the Pooles Lane car park;
- Site at the edge of a nature reserve and row of Grade II Listed Cottages;
- Area is a Coastal Conservation Area;
- Two Scotts Pine Trees are Landmark Listed and have preservation orders on them;
- Parking areas will cause damage to these trees and will not be used because of falling pine cones;
- Concern at the amount of development in this short stretch of road;
- Absence of a pavement on the site side of the street;
- Surface water run off problems; and
- Historic cottages being squeezed out by excessive development.

MATERIAL PLANNING CONSIDERATIONS

Density and Design and Form Issues

- 1.9 The site is located within an area of existing residential development. The demand for better use of urban land is long established by central Government guidance and advice which generally advocates the use of higher densities where considered compatible with the character of the area concerned and urban design controls.
- 1.10 Permission has been granted on the nearby site of No. 289 Ferry Road for a part three storey building containing 14 No. flats. A building containing 8 No. flats is near completion on the site of No. 283 Ferry Road.
- 1.11 Policy HP 3 to the Council's adopted Local Plan (2006) argues for a density of not less than 30 dwellings per hectare and that the best use of urban land will be achieved in the range between 30 - 50 dwellings per hectare.

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- 1.12 The site has an area of 0.12ha. The previous refused application for nine units achieved a density of 75 units per hectare. The current application for eight units would achieve a density of 66 units per hectare. Whilst this density would exceed the scope set down Policy HP 3, the advice contained within paragraph 47 to PPS 3: Housing (November 2006) post dates the adoption of the Council's Local Plan (June 2006) and although setting a minimum density of 30 dwellings per hectare does not set an upper limit but, amongst other things, requires account to be taken of the characteristics of the area.
- 1.13 To assist Members, in a sample area of one hectare around the site, the density is 14 dwellings per hectare (dph), which reflects the fact there are a number of properties on spacious plots in the locality; this calculation includes the eight flats nearing completion at No. 283 Ferry Road. If account is also taken of the development of 14 flats approved at No. 289 Ferry Road, the density in the sample area increases to 27 dph. The proposal for a further 8 units the subject of this current application would further increase the density of the sample area to 34 dph.
- 1.14 This part of Ferry Road is generally characterised by groups of dwellings on large plots resulting in a low overall density. Flatted schemes exist to the south of this area and a scheme for flats, as indicated, is almost complete on one site within the group and another has a valid permission. Notwithstanding his ultimate decision to dismiss an appeal for an earlier scheme on the site of 289 Ferry Road, the inspector nevertheless agreed that the development of the site for flats in this location would be appropriate given the sustainability of the site and varied form of surrounding development.
- 1.15 The proposal achieves a rear garden amenity area of 523 square metres, which is comfortably in excess of the 200 square metres required. The building would provide a metre side space to the flank boundaries, meeting the requirements of the Council's standards.
- 1.16 The proposed building has been reduced in height to the previously refused scheme by 0.75m and would have an overall height of 9.1m to the main roof ridge running from the front to the rear of the building. The northern flank wall onto the adjoining access road would extend over a depth of 19.8m.
- 1.17 The smaller element adjoining the chalet to No. 297 Ferry Road would have a hipped design to an overall height reduced by 0.65m to a height of 8.6m and have a flank wall to a depth of 15.1m at first floor but extending further at ground floor to a depth of 16.8m. This recessed area at the rear would facilitate provision of a small balcony to flat 7 but the design shows the provision of a "Juliet" balustrade to prevent access directly onto the flat roofed area.

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- 1.18 The site of the adjoining chalet No. 297 Ferry Road is sited slightly higher across the general slope through the sites on the western side of Ferry Road. Both ridge lines to the proposed building would rest slightly below the ridge line of the neighbouring dwelling.
- 1.19 The proposed building would be sited consistent with the extended front of the adjoining dwelling No. 297 Ferry Road and would project some 5m on this flank at first floor, extending a further 1.7m at ground floor. The greater depth of the building would be on the northern side a further 3.4m at two storey level.
- 1.20 The building alignment to the adjoining dwelling at No. 297 Ferry Road is considered acceptable given the presence of a car port and shed type structure on that side at ground floor and would mitigate the impact of the development upon ground floor rear living rooms to this neighbouring dwelling.
- 1.21 The adjoining restaurant and flat to the north of the site is located close to the road frontage with a car park to the rear. The building proposed would be sited the width of the adjoining service road and a metre within the site away from the adjoining restaurant and flat and to the rear of this northern neighbouring building immediately facing onto the rear car park to these neighbouring premises.
- 1.22 The siting proposed would therefore achieve a respectful relationship to adjoining dwellings and compare in scale and form to the flats being built at the site of No. 283 and those approved at the site of No. 289 Ferry Road. The proposal would be separated from the listed cottages further to the north by the intervening restaurant and car park neighbouring the site.
- 1.23 The proposal would provide only a ground floor side window to a bedroom to the southern flank facing the car port structure to No. 297 Ferry Road. Otherwise windows face rearwards onto the nature reserve backing onto the site and northwards facing onto the service road, restaurant car park and end rear garden areas beyond, the nearest of which would be 29m from the proposed building. Although the garden area of No. 305 Ferry Road would be within the 35m distance stated in the Essex Design Guide to maintain privacy, the flat above the restaurant intervenes this view and the proposal would only overlook the lower end of the garden rather than the immediate sitting out areas close to the dwelling. The proposal would not directly oppose the rear windows to this distant neighbour. It is therefore considered that the proposal would not give rise to unreasonable conditions of overlooking to justify withholding consent for this reason.

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- 1.24 The layout could potentially achieve a rear balcony to flat 7 and adjoining No. 297 Ferry Road. This may also result in a loss of privacy to the adjoining neighbour. It is therefore considered necessary to seek control over the future use of this part of the building by way of a condition to any approval that might be given requiring consent for the balcony use of this area.
- 1.25 The proposal would be located fronting a busy area for traffic, as already described. The additional traffic movements associated with the development would not be detrimental over and above the general activities existing in the locality.
- 1.26 In view of these considerations officers consider that the development proposed is reasonable and although to a density within the site in excess of the limit set in Policy HP3, the scheme nonetheless accords with more recent policy on appropriate densities contained within PPS3. The applicant has substituted the wall and railings for a more typical fencing arrangement and improved the design to address the Council's concerns in refusing the earlier application on these issues.

Car Parking

- 1.27 The layout would provide eight off street car parking spaces equal to one for each flat proposed.
- 1.28 The site is served by a regular bus service which terminates at the front of the site. Although no care is to be provided on site the development would provide accommodation for the nearing retired and retired with an expected lower car ownership. Taking into account the access to public transport and public car park opposite the site it is considered that the development would provide an acceptable level of car parking on an age restricted basis necessitating a condition to this effect to any approval that might be given and overcoming previous objections on this issue.

Ecological Issues

- 1.29 The Council's woodlands and ecology officer raises concerns at the absence of a more detailed ecological appraisal of the site. Although next to the local nature reserve, the dwelling is in occupation and the garden well kept. There is no neglect that might otherwise encourage population with species. No details have been offered as to the expectation of protected species to be present.
- 1.30 The SSSI identified relates to the coastal mudflat area important to overwintering birds. The woodlands officer considers the effect of cumulative development in the vicinity (ie, within 100m of the SSSI should be considered and taken into account).

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- 1.31 Officers, however, consider the request for further supporting information to be excessive and unreasonable, given the intervening development between the site and the coastline and the absence of a formal objection from Natural England on the previous application, and taking into account the existing domestic garden use.

Impact on Preserved Trees

- 1.32 The application is supported by a tree survey and arboricultural assessment which has considered the group of seven existing trees in the front garden area and hedge line, including the two pine trees to which the preservation order relates.
- 1.33 The comments of the Council's arboriculturalist are awaited at the time of writing, though no objections to the previous application were raised on this issue. Subject to no adverse comments being received, it is considered that the detailed provisions for the design of the car park surface and measures for the protection of the preserved pine trees, as stated in this report, are acceptable.

CONCLUSION

- 1.34 The site is within an area allocated for residential purposes to which the proposed age restricted flats are acceptable in principle. The built composition in this part of Ferry Road takes no particular design reference which allows new character and forms to be introduced. The site locality currently comprises established detached chalets and bungalows but to which there is a planning history approved for the replacement of two of these plots with flatted schemes. The building is considered of an acceptable design and form taking into account local varied characteristics.
- 1.35 The scheme would provide adequate parking for the nature of the development and would, by way of the design and specification to the car parking areas, allow for the retention of the existing two preserved pine trees to the front of the site.

RECOMMENDATION

- 1.36 It is proposed that this Committee **RESOLVES to APPROVE** the application, subject to the following heads of conditions:-
- 1 SC4 Time limits full standard
 - 2 SC14 Materials to be used externally
 - 3 SC59 landscaping design - details
 - 4 SC50 Means of enclosure
 - 5 Protection of trees during construction
 - 6 SC67 Pedestrian Visibility splays
 - 7 SC90 Surface water drainage

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- 8 SC91 Foul water drainage
- 9 SC23 Obscure glazing to specified windows
- 10 SC20 PD restricted dormers
- 11 Age restriction limitation
- 12 Design of the car park surface to follow that in the Tree Survey and Constraints Plan
- 13 Visibility splay of 2.4m x site maximum
- 14 Prior to the beneficial use of the development commencing, inter visibility shall be provided between the footpath to the flank of the development and the site
- 15 Provision within the site of area for the parking of operatives' vehicles and storage of materials for the duration of the construction period
- 16 Provision of wheel cleaning method for the duration of the construction period
- 17 Driveway to be constructed in bound materials
- 18 Submission of details for the bin store
- 19 No further provision of side windows
- 20 Non provision of balcony to flat roofed area

REASON FOR DECISION

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

Relevant Development Plan Policies and Proposals

Rochford District Replacement Local Plan (Adopted 16th June 2006)
HP3, HP6, HP11, NR3, NR9.

Supplementary Planning Document 2 Housing Design (January 2007)

Supplementary Planning Document 5 vehicle Parking Standards (January 2007)

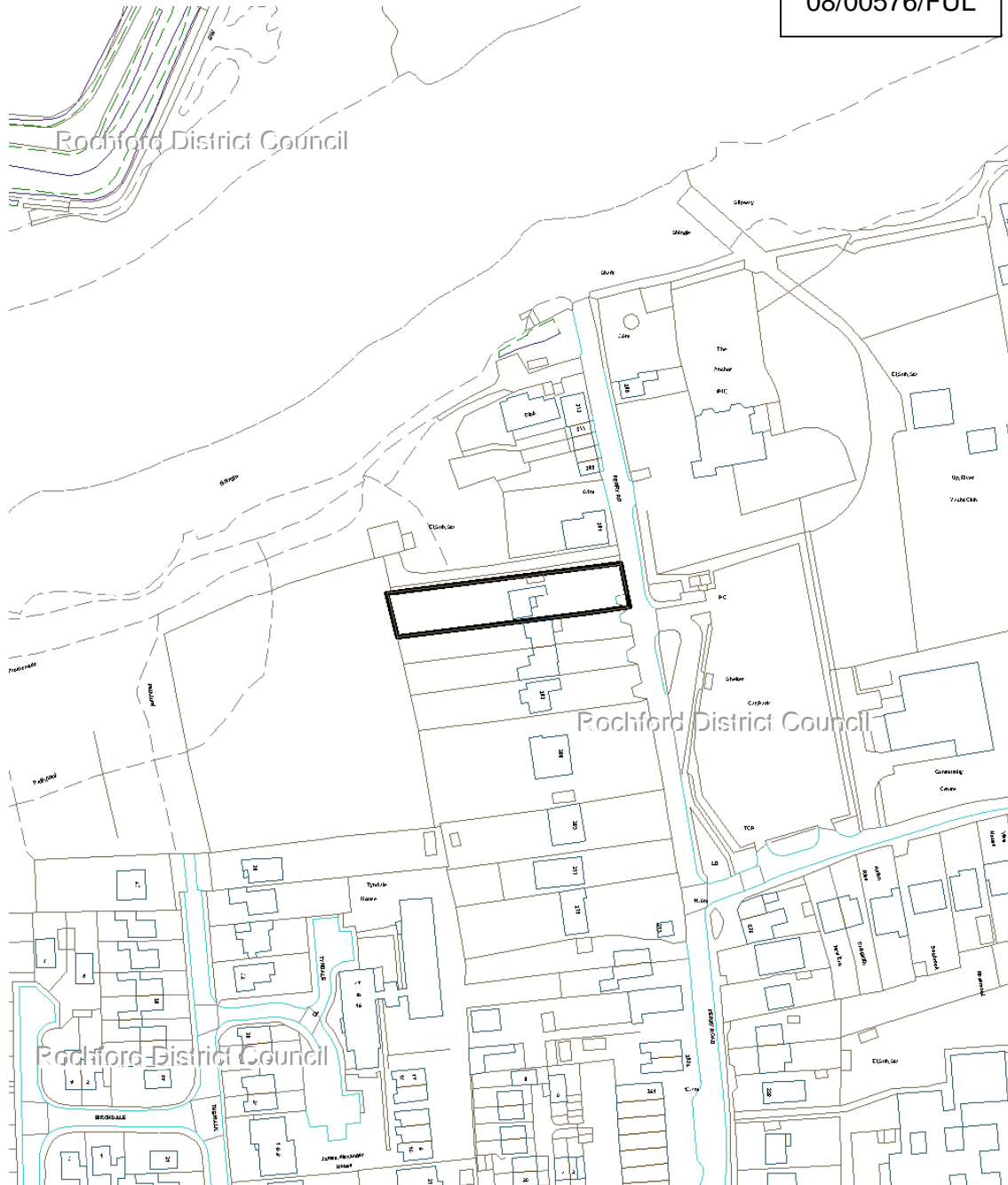


Shaun Scrutton
Head of Planning and Transportation

For further information please contact Mike Stranks on (01702) 546366.

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08/00576/FUL



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SCHEDULE ITEM 2

TITLE : 08/00365/FUL
CONSTRUCT 2 NO. ONE BEDROOMED BUNGALOWS WITH
LINKED GARAGE AND PARKING AREA. ACCESS OFF
WENDON CLOSE
LAND ADJOINING 71 RECTORY ROAD HAWKWELL

APPLICANT : MR PAUL HAYES

ZONING : RESIDENTIAL

PARISH: HAWKWELL

WARD: HAWKWELL SOUTH

PLANNING APPLICATION DETAILS

The Site

- 2.1 This application is to a site on the eastern side of Wendon Close formed from the sub-division of the garden previously to no. 71 Rectory Road. Wendon Close is an unmade and unadopted road categorised as a private street. Wendon Close makes a junction with Rectory Road 60m west of the junction with Harewood Avenue.
- 2.2 The immediate area comprises a group of bungalows fronting Rectory Road with two modest bungalows fronting Wendon Close in a very similar manner opposite the site. Immediately adjoining the site to the south exists a vacant plot of land with outline planning permission for two semi detached chalet style bungalows as granted on 25 August 2005 under application reference 05/00584/OUT, with a further property 'Meadway' beyond fronting Wendon Close.
- 2.3 The site has a frontage on to Wendon Close of 19.5m and average depth of 13.4m, equivalent to the width of the garden to no. 71 Rectory Road.
- 2.4 The site is of domestic garden appearance with lawn and shrubbery contained within a panel fence except for chain link fence at the rear with no. 69 Rectory Road. The site is now fenced off from the remaining rear garden of no. 71. The lawn has been left unmanaged since the previous application and is hence now slightly overgrown.

Planning Application Details

- 2.5 The proposal is to provide a semi detached pair of one bedroomed bungalows with a linking garage and parking area fronting on to Wendon Close. Access would be off Wendon Close.

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- 2.6 The bungalows would have an overall ridge height of 5m with the garage slightly lower at 4.65m high. The garage would be sited 5m from the limits of the highway and fitted with a roller type design door, so that the reduced forecourt depth would still allow vehicles to park clear of Wendon Close.
- 2.7 The application seeks to overcome the reason for refusal of the previous scheme under reference 07/00924/FUL. The application now has only one garage space between the dwellings, which will be one of the two spaces available for plot 2. Plot 1 will have two off street parking spaces on a driveway to the side of the dwelling closest to the boundary with no. 71 Rectory Road. This increases the distance between no. 71 Rectory Road and plot 1 to 9.5m.

RELEVANT PLANNING HISTORY

Application No. 07/00924/FUL

Construct 2 no. one bedroomed bungalows with linked garages. Access off Wendon Close.

Permission Refused 20 November 2007 for the following reason:-

The proposal, by way of the close proximity of the dwelling proposed to plot 1 to the existing dwelling No. 71 Rectory Road, would result in a too close proximity and a lack of space and a close grouping of buildings contrary to the prevailing development pattern, lacking segregation to achieve reasonable living conditions for adjoining occupiers of both the existing and dwellings proposed. If allowed, the development would result in a poor relationship to existing and nearby dwellings contrary to part (ix) to Policy HP6 of the Council's adopted Local Plan (2006).

This refused application is now subject to an appeal which is yet to be determined.

CONSULTATIONS AND REPRESENTATIONS

- 2.8 **County Surveyor:** De Minimis.
- 2.9 **Buildings/Technical Support (Engineers):** No Objections. Observations – Wendon Close is an unmade and unadopted highway. No public foul or surface water sewers in Wendon Close.
- 2.10 **Head of Environmental Services:** No adverse comments in respect of this application, subject to the Standard Informative SI16 (Control of Nuisances) being attached to any consent granted.

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- 2.11 **Essex Wildlife Trust:** Essex Wildlife Trust raises a holding objection to this planning application due to the lack of any site or species survey with this application. It is imperative that Rochford District Council has a full picture of the status of all the protected species at Rectory Road and the potential impacts this proposal may cause.
- 2.12 **Natural England:** Natural England has no objection to the proposed development in respect of legally protected species or UK Biodiversity Action Plan, as they are not aware that they are likely to be adversely affected by the proposal.
- 2.13 **Council's Woodlands Section:** The rear garden area of this property that forms the application site has until recently been a well maintained formal garden with well manicured lawns and associated flower beds. The adjacent gardens are similar in both their composition and management regime. There are no garden ponds or "wildlife" areas that could provide possible habitat for protected fauna.
- 2.14 Ecological succession has not taken place over the last 6 months since the site has been less managed, and there has been no sudden increase in biodiversity.
- 2.15 In this instance an extended phase 1 habitat survey is not required nor are any presence/absence surveys for possible reptiles, amphibians, etc.
- 2.16 Six letters have so far been received in response to the public consultation. Two letters in support of the application, one stating no objection and three letters of objection. They in the main make the following comments:-

Support/No objection

- Never thought that the close proximity to no. 71 was a valid point as there are many instances locally showing a much closer relationship;
- Excellent use of the land;
- Very similar to the little bungalow at Greenwoods opposite the site;
- Will fit in very nicely with the street scene – a lot better than the two chalets that have previously been agreed by the Council adjacent to Meadway;
- Will provide much needed small housing units which will be an asset to both the close and the area;
- There have been no vehicle obstructions in the road and do not anticipate any if the new bungalows were built;
- The planned bungalows would not attract families with children as they would not provide the space;
- There will be adequate parking facilities; and
- Style in keeping with those already built in Wendon Close.

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Objection

- Site too small to accommodate buildings and cars;
- Cars will be parked close to property at no. 69 Rectory Road, causing noise, pollution etc;
- Gardens to new properties will be too small, leading to loss of privacy to garden of no. 69;
- Doubtful that parking spaces to each of these plots can be provided;
- The recent removal of undergrowth at the front of the proposed building plot has greatly increased the problem of flooding on this track and as a result badly churned up;
- Gross over-development of the site; and
- Traffic would be a considerable problem – blocking access.

MATERIAL PLANNING CONSIDERATIONS

Density

- 2.17 The proposal would equate to a density of 75 units per hectare, though calculations of density for applications of one or two new dwellings can be somewhat misleading. Looking at the character of the area, it is considered that a scheme for two modest bungalows will fit well into the prevailing pattern of development. Within the appeal for 'Greenlands' opposite the application site the inspector noted that although the locality may have had an open and spacious character at one time, with the incorporation of other dwellings, including 'The Nook', the fronting of this Close has changed significantly. Therefore, it is not considered that introducing two small semi detached bungalows within this site represents a material over-development.
- 2.18 **Compatibility of the Building with the Site Surroundings**
The proposal would be to a plot width and provide satisfactory side isolation and forecourt depths in accordance with the Council's Supplementary Guidance. The depth of the site is 13.4m, equivalent to the width of the garden to no. 71 Rectory Road.
- 2.19 The site adjoining to the south has outline permission (05/00584/OUT) for two chalet bungalows, which, whilst significantly greater in depth than the application site, has a slightly narrower frontage to the street of 19m compared to the 19.5m proposed here.
- 2.20 Opposite the site exist two bungalows constructed on the former rear garden to no. 73 Rectory Road. The more recent 'Greenlands' is closest to no. 73 and was allowed on Appeal under application reference 00/00003/FUL. This existing development opposite the site is, however, in a more spacious setting retaining a depth between walls with no. 73 of some 10m. This relationship is generally true of a number of return frontage developments in the locality.

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- 2.21 The dwellings proposed would have a modest form compatible with the surroundings and comparable in design and form to 'Greenlands' directly opposite the application site.
- 2.22 This application now provides 9.5m between the rear of no. 71 Rectory Road and nearest side elevation wall of plot 1. This is an increase of 3.5m from the previously refused application. This distance is more in keeping with a number of return frontage developments within the vicinity, for example the relationship between 73 Rectory Road and 'Greenlands'. It is considered that the separation between the proposal and the existing residential dwelling at no. 71 Rectory Road is now acceptable, particularly given the accepted arrangement on the other side of Wendon Close.
- 2.23 **Amenity Space**
The garden areas to each of the one-bedroomed bungalows proposed would be 47m² with regard to plot 1 and 47.5m² to plot 2. These areas are just under the 50m² required for one and two-bedroomed properties. The retained garden area to no. 71 has already been reduced and fenced off. The existing dwelling (no. 71) has retained a garden area of 84.4m² arising from the construction of a side extension to form a garage to the full width of the Rectory Road frontage, as well as the sub-division of the site to enable the development proposed.
- 2.24 The garden areas, although very slightly below the guideline standard, are however a useable shape. Public open space exists at Magnolia Park a short walk from the site. In the circumstances although a minor shortfall in amenity space is evident, it is not considered to be demonstrably harmful upon the occupiers of the existing and proposed dwellings. In allowing the appeal for 'Greenlands' opposite the site the inspector accepted the small resulting garden, but acknowledged the proposal in that appeal still met local guidance.
- 2.25 **Parking/Increased Traffic Movements**
Car parking for two cars to each bungalow accords with the Council's Supplementary Guidance.
- 2.26 It is not considered that the development of these two semi detached bungalows will bring about a material increase in traffic movements thought to unreasonably affect the amenity of the occupiers of the adjacent nearby residential properties.
- 2.27 **Residential Amenity**
The proposed dwellings are bungalows and reach a maximum ridge height of 5m. It is therefore unlikely that the development will result in unreasonable overlooking or loss of privacy to adjoining neighbours. Overshadowing is also highly unlikely. The bungalows have been designed with no side elevation windows to prevent any possibility of overlooking to sites either side of the development. A refusal based upon direct overlooking could not be substantiated.

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- 2.28 2m high close boarded fencing is proposed to the east and south boundaries to enclose the site. High panel fencing already exists between the northern boundary of plot 1 and no. 71 Rectory Road.
- 2.29 It is considered that it would be appropriate to remove permitted development rights for extensions or alterations if planning consent is granted for the bungalows.

CONCLUSION

- 2.30 The development would achieve an acceptable scale, form and design compatible with the site surroundings and would not be detrimental to the character and appearance of the street, or create a poor relationship between existing and nearby dwellings.

RECOMMENDATION

- 2.31 It is proposed that this committee **RESOLVES** to **APPROVE** the application subject to the following conditions:-
- 1 SC4B Time limits full standard
 - 2 SC14 Materials to be used (externally)
 - 3 SC17 PD restricted – Extensions
 - 4 SC23 PD Restricted – Obscure Glazing
 - 5 SC50A Means of enclosure – Full (without PD restriction)
 - 6 SC59 Landscaping Design – Details (full)
 - 7 SC90 Surface water drainage
 - 8 SC91 Fouls water drainage
 - 9 The garage and parking space for the approved dwelling shall be retained and maintained in the approved form and used solely for the parking of vehicles and for no other purpose which would impede vehicle parking.

REASON FOR DECISION

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.

SCHEDULE ITEM 2

Relevant Development Plan Policies and Proposals

Rochford District Replacement Local Plan (Adopted 16th June 2006)
HP3 HP6

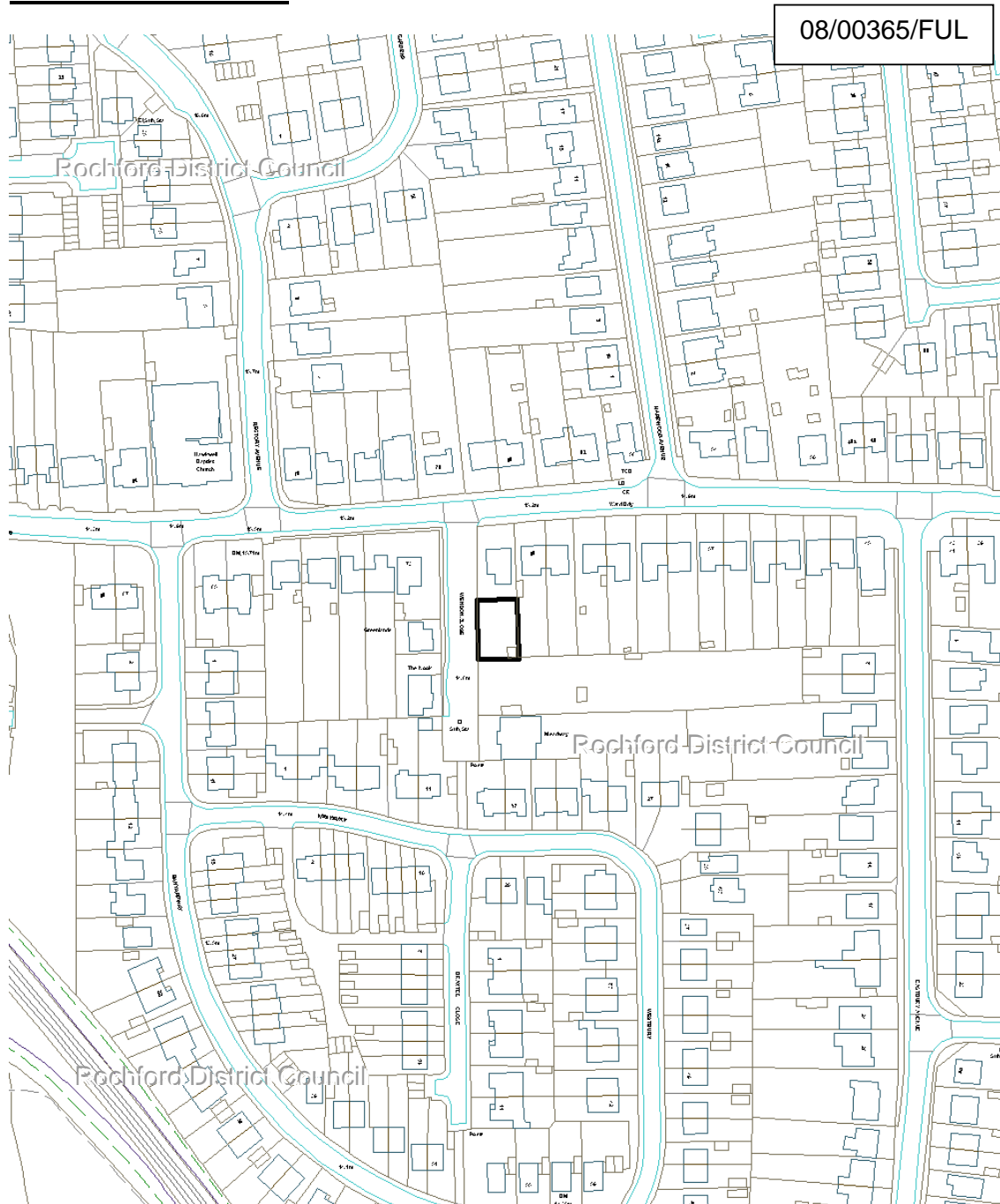
Supplementary Planning Document 2 Housing Design (January 2007)
Supplementary Planning Document 5 Vehicle Parking Standards (January 2007)



Shaun Scrutton
Head of Planning and Transportation

For further information please contact Katie Simpson on (01702) 546366.

SCHEDULE ITEM 2



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CODE OF CONDUCT FOR PLANNING MATTERS

GENERAL PRINCIPLES

Members and officers must:-

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

In Committee, Members must:-

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

Members must:-

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

Officers must:-

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