



PLANNING APPLICATIONS WEEKLY LIST NO. 1654
Week Ending 24th February 2023

NOTE:

- (i). Decision Notices will be issued in accordance with the following recommendations unless **ANY MEMBER** wishes to refer any application to the Development Committee on the 28th March 2023
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **1st March 2023** this needs to include the application number, address and the planning reasons for the referral via email to the Corporate Services Officers Corporate.Services@rochford.gov.uk .If an application is referred close to the 1.00pm deadline it may be prudent for a Member to telephone Corporate Services to ensure that the referral has been received prior to the deadline.
- (iii) Any request for further information regarding applications must be sent to Corporate Services via email.

Note

Do ensure that, if you request a proposal to go before Committee rather than be determined through officer delegation following a Weekly List report, you discuss your planning reasons with Phil Drane, Director of Place. A planning officer will then set out these planning reasons in the report to the Committee.

Index of planning applications: -

- 1. 22/01038/FUL - Boat Shed At Shuttlewood Boatyard Waterside Road Paglesham PAGES 2-10
- 2. 22/01144/FUL – 5 Ferndale Road Rayleigh PAGES 10-20

Application No :	22/01038/FUL Zoning : MGB
Case Officer	Mr Richard Kilbourne
Parish :	Paglesham Parish Council
Ward :	Roche North And Rural
Location :	Boat Shed At Shuttlewood Boatyard Waterside Road Paglesham
Proposal :	Demolition of existing extremely dilapidated boat house and erection of new boat house.

SITE AND PROPOSAL

1. The application site lies at the end of Waterside Road on the edge of Paglesham Eastend. The boatyard and slipway are located on the River Roach. There are a series of storage and workshop buildings located within the Shuttlewood Boat Yard which serve the construction of boat houses. Immediately to the north of the application site is a jetty which is constructed partially out of timber and concrete and is the subject of a separate planning application (22/01028/FUL recently approved). According to the Councils GIS database the application is located wholly within the Metropolitan Green Belt and lies within the River Roach.
2. The proposal is to demolish the existing boat house and erect a new boat house on a similar footprint.

RELEVANT PLANNING HISTORY

3. Application No. 22/01028/FUL- Extend existing concrete pier head – Approved.
4. Application No. 98/00175/FUL - Pontoon - Extension of Existing Jetty (Revised Submission Following Application F/0495/96/ROC) – Approved.
5. Application No. 96/00495/FUL - Construct Pontoon Pier – Refused.
6. Application No. 90/00466/SEC53 - Extension to Existing Building (Section 53 Determination) Formerly Shuttlewoods Boatyard – Refused.
7. Application No. 89/00620/FUL - New building for boat repairs– Refused.

8. Application No. 88/00929/FUL - Construct new quay and pontoon pier and concrete over existing hardstanding – Refused.
9. Application No. 87/00074/COU – Change of use from boat yard to general industrial storage use – Withdrawn.

MATERIAL PLANNING CONSIDERATIONS

10. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
11. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014).

Green Belt and Coastal Protection Belt
12. The application site is located wholly within the Metropolitan Green Belt and within an SSSI.
13. Policy DM11 to the Council's Development Management Plan acknowledges that existing lawful businesses make an important contribution to the local economy; however, their location still merits Green Belt designation.
14. The policy goes on to enunciate that the Council recognises the importance of encouraging and sustaining local economic growth throughout the district, but this needs to be weighed against the impact of business operations on the objectives of the Green Belt, in particular its openness as well as wider sustainability objectives. The Council will support lawfully established businesses in appropriate and accessible locations to encourage the vitality of the local economy and to fulfil the potential of local businesses. To preserve openness as far as possible and to protect the character of the Green Belt, existing lawfully established businesses will in principle be allowed to increase the gross floorspace of the original building where existing business operations are taking place. The 'original building' in this case refers to the floor area as at 1948 or later (depending on when the building was constructed). However, if no original plans or plans for extensions are evident in the planning records, then the Council will assume that the current building is original. The size and scale of proposed extensions must be proportionate and will be determined on a case by case basis

taking into consideration the requirements of the National Planning Policy Framework (NPPF).

15. The Council's Policy DM11 (Existing Businesses in the Green Belt) states inter alia that extensions and/or changes of use relate to an existing business which is lawfully established and would not be detrimental to nature conservation interests, landscape character, the historic environment, the best and most versatile agricultural land or residential amenity and that the development has been designed to minimise impact on the character, appearance and openness of the Green Belt.
16. In relation to the above, Paglesham Boatyard is an important existing local business which construct, maintain and repair boats. As previously stated, the proposal involves the demolition of the existing boat shed and according to the applicants Design and Access Statement "*The entire building structure and materials are all in an extremely dilapidated state and beyond economical repair*". The case officer can confirm that when he conducted his site visit the building appeared to be in a very poor condition. The proposed boat shed is required for the maintenance and construction of boats and being able to launch them.
17. As previously stated, the existing building is a detached boat shed which incorporates a corrugated tin roof and weather-boarded walls. The existing building has an elongated rectilinear footprint. The existing structure measures approximately 23.5m long by 7.4m wide and is 4m high to the eaves and 7.4m high to the apex of the pitched roof. Located on the south eastern aspect of the building was a large opening (which has subsequently been infilled with block) and was presumably used for launching boats. Located on the either side of the building are various apertures which help to break up the building. Whilst on the north western aspect is another set of large doors.
18. The proposed boat shed will be erected on the similar footprint as the original structure, albeit slightly larger. Plan reference 22.161.02 indicates that the proposal will measure 25.4m long by 8m wide and would be 4.3m high to the eaves and 7.7m high to the apex of the pitched roof. The structure will be steel framed, and the external walls will be clad in black horizontal cladding (in the Design and Access Statement it is inferred that the cladding will be a composite type of material, which is not traditional, and it is considered timber weatherboarding would be more appropriate) The pitched roof would be finished with a standing seam roofing system. Located on the side of the proposal will be a small flat roofed section, in order to accommodate the oversized doors to allow access/egress for plant

and machinery into the buildings. There will be several roof lights on the roof planes. Furthermore, located on the elevations will be numerous apertures to allow light in and these help to break up the mass of the building and add visual interest. On the south eastern aspect would be a large opening to allow for boats to be launched.

19. It is considered that the proposal is functional in form and appearance and is assessed to be of an acceptable design and construction in accordance with the Council's policies DM1 and DM11. The enlargement in comparison to the existing building would not be disproportionate and would have a minimal impact on the openness of the Green Belt due to the small-scale design of the proposal commensurate in scale to the building which it is replacing and is an appropriate addition to the river front, sympathetic with the surrounding landscape and will be of an important benefit to a local business, which is an important material planning consideration. The proposed building would be appropriate. Consequently, it is not therefore considered to conflict with the relevant Green Belt policies contained within the NPPF.
20. The proposal would also be compliant with Policies ENV1 and ENV2 of the Core Strategy 2011 and afford the necessary protection required to the Coastal Protection Belt and the local wildlife habitats. Prior to any work commencing the applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 16m of the river and of any flood defense structure or culvert. of the River Roach, designated a 'main river'.

Impact on Residential Amenity

21. Paragraph 130 (f) of the NPPF seeks to create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is reflected in Policy DM1, which seeks to ensure that new developments avoid overlooking, ensuring privacy, and promoting visual amenity, and create a positive relationship with existing and nearby buildings.
22. According to the submitted plans and the case officers site visit the nearest residential properties are located to the north west of the application site. There is a distance in excess of 200m separating the application site from these properties. Furthermore, there are numerous outbuildings, trees, and hedges located within the intervening gap.

23. Overall, it is considered given the separation distances and the intervening structures/vegetation will all help to mitigate any negative externalities caused by the proposed development and as such the development accords with policy DM1.
24. The case officer noted that there is a public footpath which traverses the entire north western aspect of the application site (sea wall top). It is considered that the proposal will not have any significant detrimental impact on the users of this footpath as the proposed boat house is replacing an existing structure and is commensurate in size, so additional activity would not be introduced in this location.
Historic Buildings and Conservation
25. The building affected by this application is Locally Listed. It is a mid-nineteenth century boatshed with black weatherboarding and some original windows. The building is included within the Local List due to being of local historic importance, therefore it is a non-designated heritage asset.
26. It is proposed to demolish this Locally Listed building, therefore the full weight of Paragraph 203 of the NPPF should be applied. Para. 203 of the NPPF stipulates that ;
- “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.*
- Furthermore, policy DM7 of the Rochford Development Plan inter alia states that *“Applicants should demonstrate that the retention, restoration and/or replacement of [Locally Listed Buildings/Structures] have been carefully considered and addressed”.*
27. Therefore, it is officers opinion that before the principle of demolition can be established clear and convincing justification in the form of a structural report should be submitted to the local planning authority, demonstrating that the heritage asset is beyond repair. It is recommended that this report is from a Conservation Accredited Structural Engineer (CARE) given that this is a historic building.
28. Specialist colleagues in Essex County Council's Place Services have been consulted regarding the proposed development and state that broadly the proposed replacement building, is considered acceptable however key to the success of the scheme shall be the use of high-

quality and traditional materials. The use of composite cladding or similar would not be considered acceptable, black timber weatherboarding should instead be used. Notwithstanding the above, the principle for demolition has not been established and it is recommended that the structural engineers report is submitted.

29. Consequently, in light of the above advice from colleagues in the historic buildings and conservation department and given policies contained within the Local Plan and the NPPF, the lack of a cogent and coherent structural report justifying the demolition of the existing boat shed will form a reason for refusal.

Impact on the Coastal Protection Belt

30. Policy ENV2 of the Core Strategy sets out that the council will protect and enhance the landscape, wildlife and heritage qualities of the coastline. Development which is exceptionally permitted shall not adversely affect the open and rural character, historic features or wildlife and must be located in a coastal location within the already developed areas of the coast.
31. The NPPF and its technical guidance is a set of planning policies with the key objective to contribute to the achievement of sustainable development. As part of it, they ensure that flood risk and sustainability are taken into account during the planning process. This ensures that developments are not located in flood risk areas and directs developments to lower risk areas. The NPPF applies a sequential risk-based approach to determining the suitability of land for development in flood risk areas. The NPPF also encourages developers to seek opportunities to reduce the overall level of flood risk through the layout of the development and the application of Sustainable Drainage Systems (SuDS).
32. According to the Environment Agency Flood Risk Map the application site is located entirely within Flood Zone 3, the zone at the highest risk of flooding. Consequently, colleagues in the Environment Agency have been consulted and state "*We have inspected the application as submitted and have no objections*". The Councils Emergency Planner has been consulted on planning application 22/01028/FUL which was to extend the existing concrete pier head. In regards to the application, following the receipt of an amended FRA the Emergency Planner raised no objections to the proposal. Consequently, given the interconnectedness of the site ,the case officer considers it prudent to attach a condition relating to FRA and the Emergency and Evacuation Plans in the event that planning permission is approved.

Ecology

33. The proposed development would be located within the Essex Estuaries Special Area of Conservation (SAC), Crouch and Roach Estuaries Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI). The River Crouch and Roach estuaries are designated due to the importance of these estuaries for wintering waterbirds.
34. Policy ENV1 outlines that the Council will maintain, restore and enhance sites of international, national and local nature conservation importance which includes the SACs, SPAs, Ramsar Sites and SSSIs.
35. The applicant has submitted an ecological assessment produced by Essex Mammal Surveys dated October 2022 to assess what impact (if any) the proposed development may on the SAC, SPA, Ramsar Sites or SSSI. The report concludes that;

“The site is of concrete and gravel and has no Priority habitats. Although Hedgehogs and Common Toad have not been recorded within 1km of the site, it is possible that they are present. It is therefore recommended that any trenches dug during the construction phase are covered at night, or, if open, that sloping planks are left in the trench such that any mammals and amphibians are able to escape. All open trenches should be checked for mammals and amphibians each morning.

The site has no suitable habitat to support Harvest Mouse, Otter, Water Vole, Hazel Dormouse or White-clawed Crayfish”.

36. The submitted report makes numerous recommendations for reasonable biodiversity enhancements which will be conditioned accordingly, if planning permission approved. Furthermore, colleagues in Natural England have been consulted regarding the proposed development and they state, *“Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes”.*

CONCLUSION

37. Refuse.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Paglesham Parish Council: No objections to raise.

Natural England: No objections.

Environment Agency: No objections.

Essex County Council Place Services Historic Buildings and Conservation:

The principle for demolition has not been established therefore going forwards it is recommended that the report from a CARE structural engineer is secured.

Neighbours: No responses have been received.

Relevant Development Plan Policies:

National Planning Policy Framework 2021

Core Strategy Adopted Version (December 2011) Policy CP1, ENV1, ENV2

Development Management Plan (December 2014) Policy DM1, DM11, DM17

Parking Standards: Design and Good Practice Supplementary Planning Document (December 2010)

The Essex Design Guide (2018)

RECOMMENDATION: REFUSE

1. The proposed development will involve the demolition of a Locally Listed building. It is considered that insufficient information has been submitted with the planning application to ascertain the structural condition of the existing boat shed and whether it could be successfully repaired and retained. The demolition of the Locally Listed building would result in the loss of a non-designated heritage asset and in the absence of a Conservation Accredited Structural Engineer (CARE) report it has not been possible to demonstrate that the existing building cannot be saved and brought back in to effective use. If allowed from the information available, the proposed replacement and loss of the existing heritage asset would lose the public benefit and locally historic importance of the locally listed building in conflict with Policy DM7 and Part (viii) to Policy DM1 to the Council's Development Management Plan and in conflict with paragraphs 197 a), 199, 203 and 205 of the National Planning Policy Framework.

The local Ward Members for the above application are Cllr. S. Wootton, Cllr. I. A. Foster and Cllr. Mrs. L. Shaw.

Application No :	22/01144/FUL Zoning : No allocation
Case Officer	Ms Katie Fowler
Parish :	Rayleigh Town Council
Ward :	Downhall And Rawreth
Location :	5 Ferndale Road Rayleigh Essex
Proposal :	Sub-divide plot into 2 and construct a 3-bedroom detached house, extend existing vehicle crossover for access onto a private driveway allowing for 2 car parking spaces and amenity space

SITE AND PROPOSAL

1. The application site is located on the northern side of Ferndale Road which is a residential street in Rayleigh. The street takes on a suburban character whereby the dwellings have a fairly spacious pattern of development and a prominent building line which is set back from the road. To the north of Ferndale Road is an area designated green belt and comprises a small woodland with a public footpath. The application site forms part of the residential garden of No. 5 Ferndale Road which is a semi-detached two storey dwelling.
2. Planning permission is sought for the sub-division of No. 5 Ferndale Road to create a detached two-storey dwelling. The layout and appearance of the dwelling would be similar to that of No. 3a Ferndale which was constructed as part of the sub-division of No. 3 Ferndale Road (application ref: 12/00529/FUL).
3. During the course of the application the plans were revised to include alternative materials, stone sills to the front windows and a bay window to the side elevation upon request of the case officer. These amendments were sought to improve the general design quality of the scheme.

RELEVANT PLANNING HISTORY

4. None relevant.

MATERIAL PLANNING CONSIDERATIONS

5. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.

6. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014).

Impact on Character

7. Ferndale Road is made up by semi-detached and detached dwellings, creating the sub-urban character of the street. The dwellings are of mid-to-late 20th century construction and the design of the buildings are reflective of this. The period of their construction can be seen through the generous frontages which are largely dedicated to parking, although there is some provision of soft-landscaping. The dwellings typically have rectangular plots with adequate garden sizes.
8. No. 3 and No. 5 Ferndale Road were originally the exceptions to this as they were accompanied by large areas of their gardens to the side of their properties. This was due to a turning head that provided access to the green belt to the north and the additional land that was given over to each property as a result. However, as stated above, in 2012 an application was granted for the sub-division of No. 3 and an additional dwelling was constructed on the corner of the turning head (now known as No. 3A). The development proposed is of similar layout and scale to No. 3A.

Density and Urban Grain

9. The pattern of urban blocks should be sympathetic to the existing grain of development. The National Model Design Code outlines that this should be coarser within suburbs, encompassing larger plot sizes. The Council's Supplementary Planning Document 2 – Housing Design requires a distance of 9.25m for detached dwellings or 15.25m for semi-detached pairs or for the development to be of such frontage and form compatible with the existing form and character of the area within which they are to be sited. The SPD2 also outlines that all new dwellings should maintain a 1m separation between habitable rooms and boundaries.
10. The plot that would serve the proposed dwelling would have a site frontage of at least 10.8m which would meet the requirements of SPD2. In addition, the proposed dwelling would meet the 1m separation required between habitable rooms and plot boundaries. The retained dwelling No. 5 would also comply with these requirements.
11. Although the rear garden would be of a significantly less depth than other properties along Ferndale Road, the development would be read with No. 3A which shares a similar relationship.
12. All of these factors demonstrate that the proposal would comfortably sit within the plot and would not be considered to represent over-development as a result. This is further emphasised by the plot ratio

(the proportion of the site area which is occupied by buildings) which would be some 0.31. The resultant plot ratio of No. 5 would also be some 0.31. In comparison, No. 3A has a plot ratio of approximately 0.24, No. 3 a plot ratio of 0.28 and No. 7 a plot ratio of 0.25.

13. Although apparent that the building to plot area is greater amongst the application site, it is not of such significance to be considered out of character. Further, the National Model Design Code sets out that the plot ratio within a suburb should be less than 0.5 and therefore the development would be considered in keeping with the pattern and urban grain of the suburban area.

Building Line

14. The National Model Design Code (B.2.ii) sets out that the building line represents the alignment of the front face of the buildings in relation to a street. The nature of this line and its position in relation to the street contribute to the character and identity of a place.
15. The building line of Ferndale Road is set back and some what irregular with dwellings featuring front projections which may extend forward of adjoining properties. On the whole, the building line is somewhat set and the proposed dwelling would not project forward of this.

Landscape

16. Suburban area is characterised by a set back building line. Typically, the frontages encompass some levels of landscaping. However, the frontages of many dwellings along Ferndale Road are dominated by hard-standing serving parking spaces. The application site to the contrary, currently provides high levels of landscaping which is experienced from the street scene of Ferndale Road and the public footpath/turning head due to presence of the side garden space.
17. The proposed development would result in the loss of some landscaping to the front of the side garden space due to the introduction of the driveway and proposed dwelling. The trees within the existing application site are shown to be retained and a soft-landscaping provision has been shown within the frontage. The planting and species details have not been included.
18. It is considered reasonable that a condition could be imposed requiring the details and species of the landscaping proposed as well as other boundary treatments.

Design of the Proposed Dwelling

19. The proposed dwelling has been designed to reflect the appearance of No. 3A. The principal dwelling would have a pitched roof with gable ends to the side elevations and a two-storey gable end front projection.

20. Upon submission of the application, officers' raised some design concerns with the agent. These comments related to the materials initially proposed being of a simplistic nature and the lack of architectural detailing on the front and western flank elevation. The west flank elevation was of particular concern as it faced the turning head and would be visible from the public realm.
21. The agent amended the proposal to include different materials that varied the appearance of the dwelling from No. 3A. The agent also included the addition of a bow window to the west flank elevation and stone sills to the windows on the front elevation.
22. The amendments have resulted in a dwelling which fits within the housing stock of Ferndale Road, yet provides detailing of architectural interest without detracting from the street scene. The proposed dwelling would be similar in appearance to No. 3A and would respect the architectural style of many of the dwellings along Ferndale Road.
23. Nevertheless, it is considered reasonable to impose a condition requiring details of the materials proposed to be submitted to the local planning authority to ensure they compliment but provide variation to No. 3A.
24. The proposal would reflect the character of the local area and has taken the context of the site into account in its design. The scale of the development would be of similar proportions to those nearby, in particular it would resemble No. 3A. The proposal would be compliant with the aims of the NPPF, the National Model Design Code and Policy DM1 and DM3 of the DMP.

Impact on Residential Amenity

25. The resultant dwelling would be adjoined by No. 5 Ferndale Road to the east. To the west of the site and turning head is No. 3A Ferndale Road. The site is otherwise adjoined by areas of public realm.
26. The proposed dwelling would be constructed adjacent to No. 5 Ferndale Road. There would be a separation of some 4.45m between the proposed dwelling and the existing dwelling of No. 5. This distance would accord with the requirements set out in SPD2 and the Essex Design Guide. It is acknowledged that there are ground floor and first-floor side windows serving No. 5. However, it is not uncommon for side windows to face greater levels of overshadowing than front or rear facing windows which is why local policy SPD2 seeks to protect front and rear facing windows from unreasonable levels of overshadowing.
27. The proposed development would have a greater impact in terms of overshadowing on the side facing windows of No. 5. From the recent sale of No. 5, it is clear that the ground floor side windows serve a

dining room and WC and the first floor side window serves a bedroom¹. The dining room additionally benefits from a rear facing window which would still provide appropriate light levels to this room. The loss of light to the WC would not be considered significantly detrimental to the amenity of the occupiers of No. 5.

28. However, the first-floor side window serves a bedroom. Although the floor plan on the housing market website depicts that this is a separate bedroom (labelled as bedroom 2) to that which the rear window serves (labelled as bedroom 4), there is no separate access to bedroom 4 except through bedroom 2. This can therefore be seen as one bedroom which has two windows and sources of light. In this respect, the overshadowing that the proposed development would cause would not be considered detrimental to the amenity of the occupiers of No. 5 Ferndale Road.
29. Furthermore, the dwelling would not extend beyond the rear or front elevation of No. 5 Ferndale Road and would not be considered to overshadow any front or rear facing windows. In addition, the proposed dwelling would not have a dominant impact on any nearby dwellings.
30. It is not considered that the proposed development would result in an unreasonable degree of harm upon neighbouring occupiers. The proposed scale and siting of the development would be appropriate in terms of the impact upon neighbouring properties and as a result, the proposal would not be considered to result in significant detrimental harm upon residential amenity in accordance with Policy DM1 and DM3 of the Development Management Plan.

Living Conditions for Future Occupiers

Garden Size

31. The NPPF seeks the creation of places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
32. The Council's guidance in SPD2 (3) requires the provision of a minimum useable private garden area for new dwellings of 100m². An exception for this is one and two bedroom dwellings where a minimum private garden area of 50m² is considered acceptable when the second bedroom is not of a size that would allow subdivision into two rooms.
33. The proposed development would erect a three-bedroomed dwelling. The proposed dwelling would be provided with a private garden amenity space of some 102m² which would be compliant with the requirements of SPD2.

¹ [No. 5 Ferndale Road House Sale](#)

34. No. 5 Ferndale Road as a three-bedroom dwelling would have a garden area retained of 100m² which would also be compliant with the requirements of SPD2.

Refuse and Waste Storage

35. The Council operate a 3-bin refuse and recycling system. The proposed side garden spaces would provide ample storage space for the three bins.

Sustainability

36. The Ministerial Statement of the 25th March 2015 announced changes to the government's policy relating to technical housing standards. The changes sought to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard.
37. Rochford District Council has existing policies relating to all of the above, namely access (Policy H6 of the Core Strategy), internal space (Policy DM4 of the Development Management Plan) and water efficiency (Policy ENV9 of the Core Strategy) and can therefore require compliance with the new national technical standards, as advised by the Ministerial Statement.
38. Until such a time as existing Policy DM4 is revised, this policy must be applied in light of the Ministerial Statement. All new dwellings are therefore required to comply with the new national space standard as set out in the DCLG Technical housing standards - nationally described space standard March 2015.
39. A 3-bedroom 5 person two-storey dwelling would be required to provide a floor space of 93m² and built in storage of 2.5m². The proposed development would have a floor space of some 105m² and built in storage of some 2.5m². The proposed development would therefore be compliant with the technical housing standards.

Highway Safety

40. The Parking Standards Design and Good Practice guide (2010) states that dwellings with in excess of two bedrooms require two car parking spaces with dimensions of 5.5m x 2.9m and garage spaces should measure 7m x 3m to be considered usable spaces. Quality urban design dictates that care should be taken that the parking layout would not result in streets dominated by parking spaces in front of dwellings or by building facades with large expanses of garage doors.
41. The proposed development includes the provision of a new vehicular access off Ferndale Road. The proposed dwelling and existing dwelling

would be each provided with two off-street parking spaces. These spaces would measure the dimensions required by the EPOA Parking Standards. Essex County Council as the local Highway Authority have been consulted on the application and have raised no objection to the application subject to a number of a conditions.

Trees and Ecology

42. There are some trees located within the application site which are shown to be retained on the proposed layout. It is therefore recommended that a condition be imposed requiring a tree protection plan and method statement be submitted to the Council to ensure that these trees are not damaged during construction.
43. There are no known ecological groups on the site, nor is it considered a suitable habitat for protected species.

Off-site Ecology

44. The application site falls within the 'Zone of Influence' for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMs). This means that residential developments could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressures of future residents to the dwelling proposed.
45. The development for one dwelling falls below the scale at which bespoke advice is given from Natural England. To accord with NE's requirements and standard advice, the Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMs) Habitat Regulations Assessment (HRA) record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European Site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment are listed below:

HRA Stage 1: Screening Assessment – Test 1 – the significant test

Is the development within the zone of influence (Zoi) for the Essex Cost RAMS?

- Yes

Does the planning application fall within the following development types?

- Yes. The proposal is for one additional dwelling.

Proceed to HRA Stage 2: Appropriate Assessment - *Test 2 – the integrity test*

Is the proposal for 100 houses + (or equivalent)?

- No

Is the proposal within or directly adjacent to one of the above European designated sites?

- No

46. The current proposal has been considered in respect of the Habitat Regulations, taking account of advice submitted by Natural England and the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) developed by Essex County Council which seeks to address impacts (including cumulative impacts) arising from increased recreational activity. The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) was adopted by Rochford District Council on the 20 October 2020. Advice from Natural England in August 2018 has been followed and the HRA record template completed.

47. The conclusion of the HRA is that, subject to securing appropriate mitigation, the proposed development would not likely result in significant adverse effects on the integrity of the European site along the Essex coastline.

48. The applicant has paid the suggested financial contribution per new dwelling to contribute towards longer term monitoring and mitigation along the coastline, to mitigate adverse impact from the proposed development on the European designated sites by way of increased recreational disturbance.

CONCLUSION

49. Approve subject to conditions.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: Objection due to overdevelopment and health and safety concerns.

Essex County Council Highway Authority: No objection subject to conditions.

Anglian Water: No comment.

Relevant Development Plan Policies:

National Planning Policy Framework 2021

Core Strategy Adopted Version (December 2011) Policy CP1, H6, ENV9

Development Management Plan (December 2014) Policy DM1, DM3, DM4, DM25, DM27, DM30

Parking Standards: Design and Good Practice Supplementary Planning Document (December 2010)

Supplementary Planning Document 2 (January 2007) – Housing Design

The Essex Design Guide (2018)

RECOMMENDATION: APPROVE

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 21/750 4200; 21/750 4201; 21/750 4202.

REASON: For the avoidance of doubt and to ensure that the development is completed out in accordance with the details considered as part of the planning application.

3. No development shall commence, before details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority, shall be those used in the development hereby permitted.

REASON: To enable the Local Planning Authority to retain adequate control over the appearance of the building, in the interests of visual amenity.

4. Prior to occupation, plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted, have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;

- paved or otherwise hard surfaced areas;
- means of enclosure and other boundary treatments;

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

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site, in the interests of visual amenity.

5. Prior to the commencement of the development approved, a method statement and tree protection plan (in accordance with BS 5837 2012) for those trees within the site, shall have been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with those details agreed. The tree protection methods as agreed shall be retained until all building materials have been cleared from the site.

REASON: To ensure that the development does not impact upon the trees to be retained on site, in accordance with Policy DM25.

6. Prior to first occupation of the development, and as shown on planning drawing 21/750 4201, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The vehicle access shall be 3.6 metres at its junction with the highway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the highway in the interests of highway safety.

7. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

8. Prior to first occupation of the development, two off-street parking spaces shall be provided as shown on planning drawing 21/750 4201. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

9. The developer shall provide areas within the curtilage of the site for the purpose of the reception and storage of building materials which shall be kept clear of the highway.

REASON: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

10. The requirement at 36(2)(b) of Part G2 of the Building Regulations (2010) as amended shall be met for the dwelling hereby approved such that the optional requirement of a maximum potential consumption of wholesome water by persons occupying the new dwelling shall not exceed 110 litres per person per day and measures to secure ongoing compliance with this requirement shall be permanently retained thereafter.

REASON: In order that the development achieves compliance with the national water efficiency standard as set out in the Building Regulations in light of existing policy ENV9 of the Core Strategy and the advice contained in the Ministerial Statement 2015.

The local Ward Members for the above application are Cllr. J. Newport, Cllr. C. Stanley and Cllr. J. .E Cripps.