



PLANNING APPLICATIONS WEEKLY LIST NO. 1658
Week Ending 31 March 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 18 April 2023
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **5th April 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. 22/01084/FUL – The Haven 30 Etheldore Avenue Hockley PAGES 2-18

Application No :	22/01084/FUL Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Hockley Parish Council
Ward :	Hockley And Ashingdon
Location :	The Haven 30 Etheldore Avenue Hockley
Proposal :	To demolish existing dwelling and detached garage to erect a two-bedroom ground floor annexe and two storey four-bedroom dwelling.

SITE AND PROPOSAL

1. The application dwelling is located within the northernmost residential part of Hockley. The dwelling is sited to the south side of the road and is some 19m from the road frontage. The plot it is sited on is of substantial width and of great depth. The boundary of the site is treated with high level close boarded fencing along the road frontage such that the application dwelling is not visible from view of the public realm.
2. The surrounding dwellings within the street scene were erected as part of a residential development scheme, application ref 09/00108/FUL, and whilst there is some variety of form and architectural style, the street scene comprises a level of uniformity through the age of the dwellings and use of external facing materials. The application dwelling was not erected under the scheme and as such is not reflective of the uniform character of the surrounding dwellings that were developed together.
3. The proposal is to demolish existing dwelling and detached garage to erect a two-bedroom ground floor annexe and two storey four-bedroom dwelling.

RELEVANT PLANNING HISTORY

4. Application No. 22/00728/FUL - Ground floor annexe, proposed two storey side and single storey rear extension with front and rear dormers and double garage to frontage. – Approved - 26.10.2022

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).

Principle of Development

7. The National Planning Policy Framework (NPPF) encourages the effective use of land in meeting the need for homes whilst maintaining the desirability of preserving an area's prevailing character and setting. The NPPF sets out the requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. Good design is a key aspect of sustainable development and is indivisible from good planning and proposals should contribute positively to making places better for people (para.126).
8. The NPPF also advises that planning policies and decisions should ensure that developments:
 - a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
 - d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
 - e) Optimize the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and
 - f) 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, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
9. The NPPF also advises that planning decisions for proposed housing development should ensure that developments do not undermine quality of life and are visually attractive with appropriate landscaping

and requires that permission should be refused for development that is not well-designed (para. 134).

10. Policy H1 of the Council's Core Strategy states that in order to protect the character of existing settlements the Council will resist the intensification of smaller sites within residential areas. Limited infill will be considered acceptable and will continue to contribute towards housing supply, provided it relates well to the existing street patterns, density and character of the locality. The Council's Supplementary Planning Document 2 (SPD2) for housing design states that for infill development, site frontages shall ordinarily be a minimum of 9.25 metres for detached properties or 15.25 metres for semi-detached pairs or be of such frontage and form compatible with the existing form and character of the area within which they are to be sited. There should also, in all cases, be a minimum distance of 1 metre between habitable rooms and plot boundaries.
11. Policy CP1 of the Core Strategy and Policy DM1 of the Council's Development Management Plan both seek to promote high quality design in new developments that would promote the character of the locality and enhance the local identity of the area. Policy DM3 of the Development Management Plan seeks demonstration that infill development positively addresses existing street patterns and density of locality and whether the number and types of dwellings are appropriate to the locality.
12. The proposed development involves the demolition of the existing detached bungalow currently in-situ and the replacement with a detached dwellinghouse; the application site is located wholly within the settlement boundary of Hockley. Therefore, given that the application relates to a developed site within the settlement zone, the broad principle of the development proposed is acceptable.
13. In terms of housing need, the Council has an up to date 5-year housing land supply; however, additional windfall sites such as this would add to housing provision in the district.
14. The development is one that proposes re-development of the site for residential purpose. Both national and local policies encourage the effective use of land. As the site lies within a designated primarily residential area policies DM1 and DM3 allow for new residential development where it is consistent with other Local Plan policies. Therefore, on the basis of the above assessment, the broad principle of the proposed development is considered acceptable. Other material considerations relating to the acceptability and design of the development as an infill development, the living conditions of the future

and neighbouring occupiers, ecology and highways issues etc. are assessed below.

Design

15. The National Planning Policy Framework which sets out the government's planning policies for England was revised on 20th July 2021. The revisions increased the focus on design quality, not only for sites individually but for places as a whole. Terminology is also now firmer on protecting and enhancing the environment and promoting a sustainable pattern of development. The Framework at Chapter 2 highlights how the planning system has a key role in delivering sustainable development in line with its 3 overarching objectives (Economic, Social and Environmental) which are interdependent, and which need to be pursued in mutually supportive ways such that opportunities can be taken to secure net gains across each of the different objectives.
16. The social objective of national policy is to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. The National Planning Policy Framework at Chapter 12 emphasises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
17. Policy CP1 of the Core Strategy and policies DM1 and DM3 of the Development Management Plan are applicable to the consideration of design and layout. Policy DM1 specifically states that *"The design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity, without discouraging originality, innovation or initiative"*. It also states inter alia that proposals should form a positive relationship with existing and nearby buildings.
18. The NPPF encourages the effective use of land in meeting the need for homes whilst maintaining the desirability of preserving an area's prevailing character and setting taking into account matters including architectural style, layout, materials, visual impact and height, scale and bulk. It also states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Good design is a key aspect of sustainable development and is indivisible from good planning and the proposals should contribute positively to making places better for people (para 126).

19. As previously stated, the NPPF also advises that planning decisions for proposed housing development should ensure that developments do not undermine quality of life and are visually attractive with appropriate landscaping and requires that permission should be refused for development that is not well-designed (para 134).
20. According to plan reference 085 01B the proposal is for the erection of 1 no. 1.5 storey detached property, which will subsume the footprint of the original dwellinghouse and be located centrally within the plot. The proposed dwellinghouse will be set back approximately 16m from the road frontage and is set behind the properties which are immediately located to the east and west of the application site. Located at the front of the property is a roughly 'L-shaped' drive which can accommodate at least two vehicles and allow them to manoeuvre so that they access/egress the site in a forward propelling gear. Towards the rear will be private amenity space, which also wraps around the side of the proposal. The proposal is near identical to the extensions approved to the existing house under application 22/00728/FUL.
21. As previously stated, the Supplementary Planning Document 2 (SPD2) for housing design states that for infill development, site frontages shall ordinarily be a minimum of 9.25 metres for detached dwellinghouses or 15.25 metres for semi-detached pairs or be of such frontage and form compatible with the existing form and character of the area within which they are to be sited. There should also, in all cases, be a minimum distance of 1 metre between habitable rooms and the plot boundary.
22. According to the submitted planning application forms the plot measures approximately 1400m² and is roughly rectilinear in form. It is the case officer's opinion that the proposed dwelling will be situated in a relatively large plot and as such will not appear cramped. Furthermore, the proposed dwellinghouse will be sited a minimum of 1m off the plot boundaries in those elevations which have habitable rooms and as such broadly accords with guidance advocated within the SPD Except for the annexe bedroom which directly compares with the existing store and therefore neutral in harm . Furthermore, the application site has a frontage width which is in excess of 25m and as such way exceeds the minimum site frontage required.
23. The proposed dwelling will be sited in quite an extensive plot and as such it will not appear cramped. Overall, it is considered that the layout of the site and positioning of the proposed dwelling at this site as shown on the submitted plans would not result in development that

would be out of keeping with the pattern of development in the area such as to be harmful to visual amenity.

24. According to the submitted plans the footprint of the proposed dwellinghouse is roughly rectilinear in shape, with a projecting gable element on the front elevation and a single storey element on the east facing aspect. The proposed dwellinghouse will incorporate a gable style roof. The proposed dwellinghouse will measure approximately 16m wide (at the widest point) by 15.7m deep (excluding the porch) and 2.8m high to the eaves and 6.2m high to the apex of the pitched roof. The proposed dwellinghouse is flanked by two storey properties and the ridge height of the proposed dwellinghouse is considerably less than these properties. It is considered given the prevailing character and nature of neighbouring properties the proposed dwellinghouse is commensurately scaled and will not appear as over dominating or overbearing within the context of the local vernacular.
25. The design of the proposed dwellinghouses would be relatively simple and considered in keeping with the local vernacular, with the proposal being constructed out of block (presumably) rendered with composite horizontal cladding under a concrete tile roof, it is considered that the use of these materials will not appear as alien or incongruous features within the streetscene. The proposal will incorporate various sized apertures on the elevations which helps to break up the bulk and mass of the building, helping to make the building more visually attractive and less stark and stolid. According to plan reference 085 05C there will be 2 windows in the gable of the proposed dwellinghouse (one window in each window). One of the windows will serve an en - suite bathroom and the other window will serve a landing, both of these rooms are classed as being non-habitable. Located on the rear of the building will be a large single storey outrigger and a roof lantern will be centrally located.
26. According to the submitted plans the proposal will include 2No. pitched roofed dormer windows on the front facing roof plane and a large swept dormer window on the rear facing roof plane. The Essex Design Guide states that dormers should be incidental to the roof space and should be used to light the roof space rather than to add headroom over any great width. The Supplementary Planning Document 2 (SPD2) supports the Essex Design Guide by stating that proposals involving rooms in the roof of the dwellings, any projecting walls or windows shall respect the scale, form and character of the existing or proposed dwelling and shall ensure that substantial roof verges are maintained at the sides and below any projecting dormer. The guidance goes on to advise that front dormers shall have pitched roofs and that dormers projecting above the ridge line or beyond the roof/hip will be refused.

27. All of the proposed dormers on the front facing roof plane will incorporate a pitched roof design and as such comply with the relevant guidance enunciated within the SPD. Furthermore, pitched roof dormer windows on the front of properties are a recurrent theme in the wider streetscene and as such the proposed dormers will not appear as incongruous or disharmonious. The rear swept roof dormer window will not be overtly visible from the public realm due to its location. Whilst it is acknowledged that the proposed dormer occupies the majority of the rear roof plane; nevertheless, it is set in from the verges and set down from the ridge. Given the factors cited above, it is considered that the proposal will not cause demonstrable harm to the host property or the wider streetscene and it is considered there are insufficient grounds to justify a refusal.
28. Internally the property will comprise reception room, kitchen, lounge, bathroom and 2No. bedrooms (this element of the proposal will be a separate annexe and is located at ground floor level and is integral to the host property). The remainder of the ground floor comprises hall, w.c., cupboard, snug, utility room, kitchen/lounge/dining room. Whilst the first-floor accommodation will 4No. bedrooms all en-suite.
29. It is considered that the design of the proposed dwellinghouses is quite unassuming and unpretentious in appearance but generally in keeping with the local vernacular, whilst it is seemingly not being innovative in any particular way it would not be considered to be tantamount to alien built form in the vicinity which is characterized by a broad range of dwelling types such that the proposal could not be considered unacceptable by way of design and appearance. Overall, it is considered that the proposed development in relation to design complies with guidance advocated within the NPPF and policy DM1.

Impact on Residential Amenity

30. 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. Policy DM3 also requires an assessment of the proposal's impact on residential amenity.
31. It is considered that the redevelopment of the site for housing within an existing residential area is compatible with the surrounding land uses. The proposal is unlikely to result in noise, air or water pollution. A

principal consideration in determining this application is its effect upon the residential amenity of adjacent properties.

32. The application site is adjoined by No. 26 Etheldore Avenue to the south west, No. 28 Etheldore Avenue to the west and a large detached dwellinghouse located to the east.

33. Para 7.1 of the Councils SPD 2 (Housing) states the relationship between new dwellings and existing dwellings in the case of infill developments is considered to be of particular importance to the maintenance of the appearance and character of residential areas. Policy DM1 inter alia states proposals should avoid overlooking, ensuring privacy and promoting visual amenity; and form a positive relationship with existing and nearby buildings. The proposed dwelling would maintain suitable separation with the adjoining neighbouring properties which would be considered to provide ample separation. According to the submitted plans the proposed dwellinghouse will be sited much further back into its plot as opposed to the large, detached property which is located to the east of the application site. The case officer noted that the side elevation of this property featured a small window at first floor level which appeared to serve a non-habitable room which overlooked the application site. Furthermore, the boundary treatment demarcating the property boundaries comprised 1.8m high (approx.) close boarded timber fence. According to GIS there is a distance in excess of 13m separating the two properties and as such the proposal should not adversely affect the amount of daylight that this property receives. Given the location and orientation of the windows on the proposed dwellinghouse and the intervening boundary treatment (which will be conditioned accordingly) and separation distances, all help to mitigate any significant potential overlooking or loss of privacy issues. Additionally, the proposed would not be considered to cause unreasonable levels of overshadowing or dominance as a result.

34. Due to the articulated design of the proposed dwelling, it is considered that the proposal will have a negligible impact on the residential amenities of the occupiers of No. 28 Etheldore Avenue, which is located to the west of the application. Again, this property (No.28) is set much further forward in relation to the proposed dwellinghouse. The case officer noted that No. 28 had a large detached double garage, which had been erected adjacent to the applicants boundary. Furthermore, the boundary was lined by a 1.8m high close boarded timber fence and there is a distance in excess of 10m separating the properties. Consequently, given the factors cited above it is considered that the proposal will not result in any over domination, over bearing or loss of privacy issues and as such the proposal broadly complies with policy DM1.

35. In relation to No. 26 Etheldore Avenue, which is located to the south west of the application site, given the location and orientation of the properties the rear elevation of the proposed dwellinghouse will face the front elevation of No. 26. However, No. 26 will be a slight angle in relation to the proposal. It is considered given the intervening boundary treatment and separation distances will help to ameliorate any problems associated with the proposed development.
36. In relation to other properties in the locality, it is considered that the development would not give rise to material overlooking or overshadowing, nor would it over dominate the outlook enjoyed by neighbouring occupiers given the siting in relationship to and the separation distances that would be achieved between properties. The proposal is compliant with DM1 and DM3 of the Development Management Plan.

Living Conditions for Future Occupiers

Garden Sizes

37. Policy DM3 of the Development Management Plan requires the provision of adequate and usable private amenity space. In addition, the Council's adopted Housing Design SPD advises a suitable garden size for each type of dwelling house. Paragraph 130 criterion (f) of 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.
38. Supplementary Planning Document 2 requires a minimum 100m² garden area for all new dwellings except one and two-bedroom dwellings where a minimum private garden area of 50 m² would be required. The proposed development would provide 1 No. six-bed dwelling. According to the submitted plans the proposed dwellinghouse would be provided with private rear amenity space in excess of 1015m², which would satisfy the outdoor amenity space requirements, as set out in SPD2.

Sustainability

39. The Ministerial Statement of the 25th March 2015 announced changes to the governments policy relating to technical housing standards. The changes sought to rationalize 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.

40. 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.
41. 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.
42. A two storey dwelling which would comprise of six bedrooms accommodating either seven or eight people would require a minimum Gross Internal Floor Area (GIA) of 123m² or 132m², respectively. Additionally, the dwelling must have a minimum of 4m² of built-in storage. The standards above stipulate that single bedrooms must equate to a minimum 7.5m² internal floor space while double bedrooms must equate to a minimum of 11.5m², with the main bedroom being at least 2.75m wide and every other double room should have a width of at least 2.55 metres. A built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements but should not reduce the effective width of the room below the minimum widths indicated. According to the submitted plans the Gross Internal Floor area of the proposed dwelling will measure in excess of 270m².
43. The table below shows the Gross Internal Floor area for each of the bedrooms.

Bedroom no.1	18.3m ²
Bedroom no.2	18.3m ²
Bedroom no.3	25.34m ²
Bedroom no.4	20.5m ²
Bedroom no.5 (annexe)	11.5m ²
Bedroom no.6 (annexe)	7.5m ²

44. According to the submitted plans all the bedrooms for the proposed dwelling comply with aforementioned policies and exceeds the Internal Floor area. Furthermore, it was noted that the storage area was approximately 1.5m² for the proposal, however, the proposal substantially exceeds the recommended minimal GIA for a six bedroomed property and as such it is considered insufficient justification to warrant a refusal and substantiate it at any future Appeal.

45. Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently, all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. A condition would be recommended to ensure compliance with this Building Regulation requirement if the application were recommended favourably.
46. In light of the Ministerial Statement which advises that planning permissions should not be granted subject to any technical housing standards other than those relating to internal space, water efficiency and access, the requirement in Policy ENV9 that a specific Code for Sustainable Homes level be achieved and the requirement in Policy H6 that the Lifetime Homes standard be met are now no longer sought.

Impact on Highway Safety

47. Policies DM1 and DM3 of the Council's Development Management Plan require sufficient car parking, whereas Policy DM30 of the Development Management Plan aims to create and maintain an accessible environment, requiring development proposals to provide sufficient parking facilities having regard to the Council's adopted parking standards.
48. The Parking Standards Design and Good Practice guide (2010) states that for dwellings with two-bedrooms or more, two off-street car parking spaces are required with dimensions of 5.5m x 2.9m. Garage spaces should measure 7m x 3m to be considered usable spaces.
49. In accordance with paragraph 111 of the framework, it must be noted that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
50. The proposed site has sufficient space within the proposed curtilage to provide at least two car parking spaces at the required dimensions as stated in the EPOA parking standard. Properties of this size would be required to provide two off street parking spaces and therefore no objections are raised regarding parking. It is noted numerous neighbouring properties have hard-surfaced their frontages in order to provide vehicular parking, a recent update to the Framework (2021) and the introduction of associated design guidance, have emphasised the use of soft landscaping ensuring that schemes are visually attractive. Therefore, it would be reasonable for the Council to impose a condition relating to soft landscaping scheme to be submitted in order to avoid the complete hard surfacing of the site frontage.

51. As previously stated, this application includes the demolition of the existing dwelling and detached garage. The existing access/egress arrangements will remain in-situ and will be used to serve the new property. Colleagues in Essex County Council Highway Authority have been consulted regarding the application and they have no objections to the proposal subject to condition relating to reception and storage of building materials and standard informatives, which will be conditioned accordingly if planning permission is approved.
52. The Highways Authority has reviewed the submission information and concludes there would be no unacceptable impact on highway safety or a severe impact on congestion. There is no reason for the Local Planning Authority to take an alternative. Overall, it considered that the proposal subject to the aforementioned condition/informatives complies with the relevant policies contained within the Development Management Plan and the NPPF, and as such there is insufficient justification to warrant a refusal.

Drainage

53. Development on sites such as this can generally reduce the permeability of at least part of the site and changes the site's response to rainfall. Advice advocated within the NPPF states that in order to satisfactorily manage flood risk in new developments, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. Therefore, it is considered reasonable to attach a condition to the Decision Notice requiring the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff from the site is sufficiently discharged.

Flooding

54. According to the Environment Agency's Flood Risk Map the application site is located entirely in Flood Zone 1, where there is a low probability of flooding from rivers and the sea as such the development is compatible with the advice advocated within the NPPF.

Refuse and Waste Storage

55. The Council operate a 3-bin refuse and recycling system. The proposed front garden area would provide sufficient storage space for the three bins.

Trees

56. Policy DM25 of the Development Management Plan seeks to protect existing trees particularly those with high amenity value. The case officer noted that there were several trees located within and adjacent to the application site. Consequently, to accompany their planning application the applicant has submitted tree survey which has been produced by Andrew Day Arboricultural Consultancy dated August 2022. The report states *“To implement this development T3 & T6 will be removed due to it being impractical to retain them as part of the new scheme, with new trees being able to be planted in the front garden space to compensate for this. The constraints of the trees shown to be retained do not extend into the proposed construction zone for the dwelling; therefore, they will not be directly impacted. The trees can be suitably protected to prevent it being indirectly impacted by construction pressures. The RPA of T4 extends adjacent to the proposed construction zone and so care will be taken when excavating the foundations in this location. Protective fencing will be installed to prevent unnecessary access into the protected areas and to stop construction activities accessing this protected space. The locations of this fencing are shown on the tree protection plan. The trees can be adequately protected from construction pressures by implementing and adhering to the protection measures provided in the method statement. The proposal is unlikely to have any detrimental impact on the trees shown to be retained”*.

57. The Councils Arboricultural Officer has been consulted and raises no objections subject to *“monitoring for the various phases, this will need to be conditioned key stage Arboricultural supervision to ensure the tree works, tree protection barrier and ground as per the supplied arb assessment (demolition and construction phases) and end phase landscaping and removal of protection are all compliant with the tree protection plans and method statements as supplied. We will require brief report and photographs as evidence of compliance”*, which will be secured via a planning condition.

Ecology

58. To accompany their planning application the applicant has submitted a protected species survey (PSS) which was produced by Essex Mammals Surveys and is dated July 2022. The PSS concludes that *“The lack of potential roosting places and absence of any evidence of the presence of bats means that no further surveys are required for these buildings. The buildings were considered to have negligible potential as roosting places for bats”*. Nevertheless, the submitted report makes numerous recommendations for reasonable biodiversity enhancements which will be conditioned accordingly, if planning

permission approved. As the proposal is for a replacement dwelling there will not be a requirement for a RAMs payment to be made to the LPA to mitigate off site ecology provisions.

CONCLUSION

59. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Hockley Parish Council: No objections. The Council would like consideration to be given to the general street scene and developments should be in keeping. Conditions should be imposed for limited parking of construction vehicles and the road cleaned of mud. Councillors are concerned with the amount of building works taking place at weekend due to the Covid19 pandemic catch up and request that no building work be carried on Sunday.

Essex County Council Highways: No objection subject to the imposition of condition relating to the reception and storage of building materials and standard informatives.

Rochford District Council Arboricultural Officer: I think we will need to condition a protection plan for the demolition phase so we can be assured of full barrier protection for this phase. This can then be altered for the new build as per the plan provided.

We will require monitoring for the various phases, this will need to be conditioned key stage Arboricultural supervision to ensure the tree works, tree protection barrier and ground as per the supplied arb assessment (demolition and construction phases) and end phase landscaping and removal of protection are all compliant with the tree protection plans and method statements as supplied. We will require brief report and photographs as evidence of compliance.

Neighbour representations: No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework 2021

Core Strategy Adopted Version (December 2011) – CP1, ENV1, T8

Development Management Plan (December 2014) – DM1, DM3, DM4, DM25 and 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)

Natural England Standing Advice

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 shall be undertaken in strict accordance with the plans referenced 085 06C, 085 05C, and 085 01B received by the Local Planning Authority on the 11th November 2022.

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

3. No development involving the use of any facing or roofing materials shall take place until details of all such materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless any variation is agreed in writing by the Local Planning Authority.

REASON: To ensure the external appearance of the building/structure is acceptable having regard to Policy DM1 of the Council's Local Development Framework's Development Management Plan.

4. The tree protection plan and arboricultural method statement produced by Andrew Day Arboricultural Consultancy dated August 2022 shall be adhered to in full as part of the demolition, construction and landscaping phase. In order to ensure compliance with the Arboricultural report the Local Planning Authority will require a report and photographic evidence of various stages unless otherwise first agreed to in writing by the Local Planning Authority.

REASON: To ensure the protection of trees and in the interests of the appearance of the development in the locality.

5. Prior to its use, details of the positions, design, materials and type of boundary treatment to be erected have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON: To ensure that boundaries within the development are adequately formed and screened in the interests of the appearance of the development and the privacy of its occupants Policy DM3 of the Council's Local Development Framework's Development Management Plan.

6. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site shall be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer shall consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer. We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

7. Prior to the first occupation of the development a scheme of landscaping for the site indicating inter alia the positions of all existing trees and hedgerows within and around the site, indications of any to be retained together with measures for their protection during the course of development, also the number, species, heights on planting and positions of all additional trees, shrubs and bushes to be planted shall be submitted to and approved by the Local Planning Authority, and shall be carried out in the first planting season following the commencement of the development,. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To secure a high standard of landscaping in the interests of the appearance of the development in the locality.

8. Notwithstanding the details shown on the approved plan/application form details of surfacing materials to be used on the development which shall include either porous materials or details of sustainable urban drainage measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in the locality and drainage of the site.

9. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified 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 in accordance with policy DM1.

10. The proposed first floor windows in the side elevations of the proposed dwelling shall be glazed in obscure glass and to a window design not capable of being opened below a height of 1.7m above finished floor level prior to first occupation of the room it serves. The windows shall be retained as such thereafter for the duration of the development.

REASON: In the interests of safeguarding privacy between adjoining occupiers.

11. No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone taking place

REASON: To safeguard protected species in accordance with the NPPF.

The local Ward Members for the above application are Cllr. M. R. Carter, Cllr. Mrs. D. L. Belton and Cllr. R. P. Constable.