



**PLANNING APPLICATIONS WEEKLY LIST NO.1751**  
**Week Ending 4th April 2025**

**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 24<sup>th</sup> April 2025,
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **9th April 2025** this needs to include the application number, address and the planning reasons for the referral via email to the PBC Technical Support team [pbctechnicalsupport@rochford.gov.uk](mailto:pbctechnicalsupport@rochford.gov.uk). If an application is referred close to the 1.00pm deadline it may be prudent for a Member to telephone PBC Technical Support 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 Emma Goodings Director of Place. A planning officer will then set out these planning reasons in the report to the Committee.

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Application No :	24/00855/FUL      Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Rochford Parish Council
Ward :	Roche South
Location :	Cherry Pips Nursery   Cherry Orchard Lane Rochford
Proposal :	Single storey ground floor extension to existing day nursery, alterations to existing car parking arrangements and addition of parking spaces on nearby land.

## **SITE AND PROPOSAL**

1. The application site consists of the Cherry Pips Nursery, a two-storey detached building located immediately to the south of a row of terraced cottages that front Cherry Orchard Lane, known as Brickfield Cottages. The existing building is constructed of facing brick and a pitched roof. 2No. gable ends are found to the front elevation and are rendered in white. An existing single-storey extension is found to the rear elevation and a protruding two-storey extension.
2. A hardstanding car park is found to the southern flank of the application site. This accommodates 28No. vehicles, with 1No. disabled parking bay.
3. The site was subject to Green Belt allocation in previous local plans and remains shown as Green Belt on the Council's Allocations Plan Proposals Map. The site is however within part of the area to which the London Southend Airport and Environs Joint Area Action Plan (JAAP) relates. The JAAP, being the more up-to-date part of the Development Plan takes precedence over the Council's Proposals Map in accordance with Policy ENV1 of the JAAP, the application site is now no longer subject to the former Green Belt designation.
4. The application seeks planning permission for the construction of a single-storey rear extension, projecting approximately 10.25m from the rear elevation of the existing building, and approximately 5.8m from the side elevation of the building. The extension would project approximately 2.9m from the existing two-storey outrigger, to match the projection of the existing single-storey element to the rear.
5. The proposed extension would allow for an increase in child places at the nursery and therefore it is acknowledged that there is a significant public benefit that would arise as a result of the proposal. The proposed extension would be utilised as a classroom. A w/c would be provided in the extension.

6. As a result of the proposal, parking provision would be reduced slightly from 28No. spaces to 26No. spaces. The provision of 1No. disabled parking space would be retained on site.

## **RELEVANT PLANNING HISTORY**

7. Application No. 17/00710/FUL - Construction of day nursery at ground floor with offices (B1) over, parking and associated landscaping. Application Permitted – 4<sup>th</sup> April 2018.

## **MATERIAL PLANNING CONSIDERATIONS**

8. 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.
9. The adopted Development Plan is the Rochford District Core Strategy (2011), the London Southend Airport and Environs Joint Area Action Plan (JAAP) (2014), the Allocations Plan (2014) and the Development Management Plan (2014).
10. Policy E3 of the JAAP allocates land for the formation of a new business park, referred to as Saxon Business Park. The allocated land is divided into three areas, Areas 1, 2 and 3. The application site forms part of a wider parcel of land, known as Area 1, for which the JAAP sets a goal for 20,000m<sup>2</sup> of B1/Educational use. It is acknowledged that the Use Classes Order was amended subsequent to the adoption of the JAAP in 2014 and Use Class B1 has since been revoked. For the purposes of the determination of this application, Use Class B1 has been substituted with Use Class E(g) which includes the uses previously falling under B1.
11. The application site is within 'Area 1' as allocated under the JAAP. The provision of classroom/education space at the site would accord with the vision of the JAAP for this area in providing 20,000m<sup>2</sup> of B1/educational space. The development would result in an increase of approximately 115m<sup>2</sup> of educational space. The proposed development therefore accords with the JAAP in this regard.

Impact on the character of the area

12. As previously stated, the National Planning Policy Framework sets out the government's planning policies for England and this was recently revised in December 2024. The revisions inter alia 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.

13. 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 'Achieving Well-Designed Places' 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.
14. In addition to the above, 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.
15. The proposed extension would be single storey and would wrap around the side and rear elevations of the host building, with a total projection of 5.8m from the side elevation of the building and approximately 10.25m from the rear elevation of the building. The proposal would incorporate a flat roof measuring some 3.75m high (as measured from ground level). Whilst the footprint is roughly rectangular in shape and the proposed extension would measure approximately 60m<sup>2</sup>.
16. The JAAP seeks for buildings to be modern in design and appearance. The proposed extension would be constructed of facing brick and finished in render. Fenestrations would be constructed of aluminium to match the existing building. This would result in a modern appearance and would be in keeping with the character of the existing building and wider vernacular of the business park. Whilst it is acknowledged that during an earlier application to construct the nursery (LPA ref. 17/00710/FUL) concerns were raised about a single-storey extension with flat roof of similar design, there have been significant changes in national planning policy with the revision of the National Planning Policy Framework in 2025. The proposed extension is considered to relate well to the host building and would largely be screened by the existing boundary treatment at the site. As a result, the impact on the

character and appearance of the local vernacular is minimal and there will be minimal harm arising from the proposal to the business park as a whole. Furthermore, the existing building has no constraints that would prevent an extension of this design, the host building is neither statutorily or locally listed, nor is it located within a Conservation Area. The design is therefore considered acceptable on balance and there is insufficient reason for refusal and to substantiate at appeal in this instance.

17. The proposed extension would retain sufficient separation distance to the residential dwellings to the north of the application site that the proposal would not detrimentally impact on residential amenity. Notwithstanding this, the development would largely be screened by the existing two-storey outrigger to the rear elevation of the building.
18. Having regard to the above, the proposed extension is considered to represent an appropriate form of development which is in keeping with the proportions and character of the existing building and the wider business park as a whole. It is considered that the proposal would accord with the JAAP's vision for modern developments and moreover would be in accordance with Policy DM1 of the Development Management Plan and the design guidance of the NPPF.

#### Highways and Parking

19. There would be no change to ingress and egress to the site as a result of the proposal. Access to and from the car park would be retained off Cherry Orchard Way, and the pick-up and drop-off to the front elevation of the building would be retained.
20. In respect of parking, Policies T8 and DM30 sets out that the Council will apply maximum parking standards for trip destinations but that the Council will still require such development to include adequate parking provision. Developers are required to demonstrate that adequate provision for parking, turning and loading and unloading is provided.
21. The Essex County Council Parking Guidance (2024) was formally adopted by the Council in January 2025. It supersedes any previous parking standard that formed part of the development plan for Rochford District Council. The application site is a mixed-use development providing both office space and nursery facilities, therefore these aspects must be assessed individually and combined to form the parking requirements of the site.
22. The Parking Guidance (2024) requires that for a day nursery, 0.75 spaces are provided for every full-time equivalent staff member, and associated pick-up/drop-off facilities. The application form and design and access statement states that there is a full-time equivalent of 2No. members of staff. The parking requirement is therefore 2 spaces.

23. The parking standard for office use is 1 space per 30m<sup>2</sup> of internal floor area. It is pertinent to note that the parking standard for offices has not changed with the adoption of the Essex County Council Parking Guidance, and there would be no increase in floor area for use as an office as a result of the proposal. As such, there is a requirement to provide 11No. spaces for office use.
24. Cumulatively, therefore, there is a requirement for the development to provide 13No. spaces for use by both the nursery staff and the office staff. Whilst it is acknowledged in this instance that the proposal would lead to a reduction in spaces on the car park (notwithstanding the addition of 10No. spaces elsewhere at premises on Aviation Way), with the retention of 19 parking spaces on the site, the development would still provide for in excess of its parking requirements. It is acknowledged that the existing site provides provision for cycle storage, and this is indicated to be retained as a result of the proposal.
25. Furthermore, it is acknowledged that the Design and Access Statement states that only 9 spaces are provided for the office use, whilst 13 spaces are provided for use of the nursery. Whilst the 9 spaces would fall short slightly of the 11No. space standard for the office element, cumulatively there would be parking provision which exceeds the required standards and therefore this is considered acceptable on balance. It is acknowledged that the Design and Access Statement makes reference to the fact that at most there is only likely to be 12 cars in the car park at any one time and that there would be sufficient space to accommodate these vehicles within the car park without utilising the extra 10No. spaces provided to the additional parking at premises on Aviation Way.
26. Essex County Council as Local Highways Authority were consulted on the proposal and do not wish to restrict the grant of planning. ECC note that the surrounding highway network is protected by Traffic Regulation Orders and clearways, and that parking within the Business Park is privately managed.

#### Public Rights of Way

27. The proposed development would not directly impact on any Public Rights of Way (PRoW). No PRoW run directly through or adjacent to the application site. The nearest PRoW is a bridleway which runs parallel to the site along Cherry Orchard way to the west of the site and a footpath to the north of the wider site, north of the River Roach.



## Trees

28. Policy DM25 of the Development Management Plan requires that development seek to conserve and enhance existing trees and woodlands.

*“Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.*

*Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.”*

29. There are no trees that would be impacted by the development and the application is therefore considered in accordance with Policy DM25.

## Ecology

30. Policy DM26 of the Council's Development Management Plan requires that consideration is given to landscape character and the findings of the Rochford District Historic Environment Characterisation Project (2006). The application site location within the business park means that the development proposed is acceptable regardless of the impact on landscape character.
31. Notwithstanding the above, certain species and habitats are protected by law and in addition section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Authorities to have regard to the conservation of biodiversity when carrying out their normal functions including in the determination of planning applications. Planning policy at the local and national level also requires consideration of impact on ecology. Policy DM27 requires consideration of the impact of development upon the natural landscape including protected habitat and species and the NPPF also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity. However, the application site is largely hard surfaced and it is considered that the proposed would not be likely to impact adversely on any protected species.

## Biodiversity Net Gain

32. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring a development to have a positive impact ('net

gain') on biodiversity. A minimum of 10 percent BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) subject to some exceptions.

33. The application form states that the applicant believes the development should not be subject to biodiversity net gain as the development is below the threshold and therefore qualifies for the de minimis exception. The existing site is predominantly hardstanding, consisting of a vehicular car park and the entire footprint of the proposed extension falls on this hardstanding. There is a small area of shrubbery to the site boundary which is the only source of habitat on the site, and this would be retained as a result of the proposal. As such, the proposal affects onsite habitat which has a biodiversity value of zero.

### **Equalities and Diversity Implications**

34. The Public Sector Equality Duty applies to the Council when it makes a decision. The duty requires us to have regard to the need:

- To eliminate unlawful discrimination, harassment, and victimisation.
- To advance equality of opportunity between people who share a protected characteristic and those who do not.
- To foster good relations between those who share a protected characteristic and those who do not.

35. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.

36. Taking account of the nature of the proposed development and representations received, it is considered that the proposed development would not result in any impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

### **CONCLUSION**

37. In determining this application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

38. The application site is currently utilised as a nursery and an office and is located within Area 1 as designated in the JAAP. There would be no change to this arrangement as a result of the proposal, however the nursery would be extended slightly to increase provision. This is in line with the vision of the JAAP.



39. The proposed development is furthermore considered to accord with both national and local planning policy and should therefore be recommended for approval subject to any required conditions.

**CONSULTATIONS AND REPRESENTATIONS (summary of responses):**

Rochford Parish Council : No reply received.

London Southend Airport: No reply received.

Essex County Council Highways Authority: The proposal includes an extension to the Nursery and reorganisation of the off-street parking at the site with the loss of 2 spaces. Additional staff parking is included on a nearby industrial estate, though this is 0.7 miles away, opportunities to park nearer to the Nursery are limited. The surrounding highway network including Cherry Orchard Way is protected by Traffic Regulation Orders including clearways. The Airport Business Park is mostly private, and parking within the Business Park is privately managed; therefore, the Highway Authority has no objections to the proposal.

Neighbour representations: No responses received.

**Relevant Development Plan Policies:**

National Planning Policy Framework (December 2024).

London Southend Airport and Environs Joint Area Action Plan (JAAP) Policies E1, E3, E4, T1, T2, T3, T4, T5, T6, T7, ENV1, ENV5, and ENV7.

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) – policies CP1, ENV1, ENV3, ENV8, ENV10, ENV11, ED4, ED1, T8, T6, T5, T3, T1 and CLT1.

Rochford District Council Local Development Framework Development Management Plan (December 2014) – policies DM1, DM30, DM27, DM26, DM25 and DM5.

Essex County Council and Essex Planning Officers Association Parking Standards: Design and Good Practice Supplementary Planning Document (adopted January 2025).

The Essex Design Guide.

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 following plans: 700C (Location Plan) (as per date stated on plan May 2017), 707A (Layout Plan) (as per date stated on plan March 2024), 707 (Layout Plan) (as per date stated on plan March 2024), 706 (Layout Plan) (as per date stated on plan March 2024), 705 (Layout Plan) (as per date stated on plan March 2024), 704 (Section) (as per date stated on plan May 2017), 703 (Proposed Elevations) (as per date stated on plan March 2024), 702 (Proposed Floor Plans) (as per date stated on plan March 2024), and 701C (Site Plan) (as per date stated on plan March 2024).

REASON: For the avoidance of doubt and to specify the plans to which the permission/consent relates.

3. The materials to be used in the construction of all external surfaces of the development hereby permitted shall match those of the existing building or be those specified in the application unless alternative materials are otherwise first approved in writing by the Local Planning Authority.

REASON: To ensure that the external appearance of the building/structure is acceptable in the interest of visual amenity in compliance with the Council's Local Development Framework Development Management Plan Policy DM1.

The local Ward Members for the above application are Cllr. Angelina Marriott, Cllr. M. J. Steptoe and Cllr. A. L. Williams.

Application No :	24/00824/FUL      Zoning : JAAP Policy E2 Aviation Way Industrial Estate
Case Officer	Mr Richard Kilbourne
Parish :	Rochford Parish Council
Ward :	Roche South
Location :	Saxon Hall Aviation Way Rochford
Proposal :	Install 110 no. ground-mounted PV solar panels to rear of Saxon Hall.

## **SITE AND PROPOSAL**

1. Planning permission is sought for the erection of 110 ground mounted photovoltaic (PV) solar panels on the overflow car park area at the rear of Saxon Hall, Aviation Way. Saxon Hall is a large detached part two storey part single storey building constructed primarily out of facing brick under a flat roofed form. There are commercial buildings adjoining the application site to the north and south. Whilst immediately to the east of the applicant's property is a small area of modified grassland and beyond that is Southend Airport. To the west is Aviation Way a heavily trafficked road and on the opposite side facing the applicants building were a number of other commercial buildings.

## **RELEVANT PLANNING HISTORY**

2. Application No. 85/00735/FUL – Additional Entrance Lobby and Toilets Change of Squash Court to Function room erect 3 Tennis Courts New Car Park Layout – Approved - 20.12.1985.
3. Application No. 11/00785/FUL - Convert Part of First Floor to Offices, Store Meeting Room and Museum. Provide Two Storey Flat Roof Front Extension to Provide Entrance Lobby and Lift and Make External Alterations Providing Revised Windows and Doors – Approved - 23.02.2012.
4. Application No. 12/00281/FUL - New Entrance Porch to Function Rooms – Approved - 22.06.2012.
5. Application No. 14/00348/FUL - Entrance Canopy and Front Elevation Enhancements – Approved - 11.07.2014.

## **MATERIAL PLANNING CONSIDERATIONS**

6. 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.
7. 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).

### **The Principle of Development**

8. Support for renewable energy provision is found within the National Planning Policy Framework (revised December 2024) (NPPF) which states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising

vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. The principle of delivering sustainable means of generating renewable energy is therefore supported in the NPPF. Furthermore, para. 161 of the NPPF inter alia states *“The planning system should... support renewable and low carbon energy and associated infrastructure”*.

9. Planning Practice Guidance (PPG), on renewable and low carbon energy, states that ‘there are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and critically, the potential impacts on the local environment, including from cumulative impacts’.
10. The NPPF explains that when dealing with planning applications, planning authorities should not require a developer to demonstrate a need for low carbon or renewable energy projects and should recognise that even small-scale projects can help reduce greenhouse gas emissions. This is emphasized in para 168(b) which enunciates that Local Planning Authorities should *‘recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions’*. The NPPF infers that schemes should be approved if any impacts are, or can be, made acceptable. Furthermore, it identifies once areas have been identified for such projects, by local authorities in local plans, any subsequent applications should demonstrate how they would meet the criteria used in identifying suitable locations. The case officer can confirm that the Council has not allocated any sites for renewable energy schemes in the district.

Impact on the character of the area

11. Policy CP1 of the Council’s Core Strategy and Policy DM1 of the Council’s Development Management Plan are applicable to the consideration of design and layout. 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 (paragraph 131 of the NPPF).
12. Paragraph 135 of the NPPF states that planning policies and decisions should ensure that developments inter alia are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, 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, and are sympathetic to local character and history, including the surrounding built environment and landscape setting etc.
13. According to the Councils GIS database the application site is located wholly within the urban conurbation of Rochford and is allocated for

employment use. Moreover, the application site is not located within a Conservation area and there are no heritage assets in close proximity to the site. As previously attested too when the case officer conducted his site visit, he observed that there were commercial buildings adjoining the application site to the north and south. Whilst immediately to the east of the applicant's property was a small area of modified grassland and beyond that was Southend Airport. To the west was Aviation Way a heavily trafficked road serving commercial buildings and on the opposite side facing the applicants building were a number of other commercial buildings.

14. The boundaries forming the application site are demarcated by a mix of close boarded timber fencing and wire mesh fencing (topped with barbed wire) measuring approximately 1.8m high, which is punctuated at sporadic intervals by trees and shrubs. The applicant is proposing to install 110 No. ground-mounted PV solar panels to rear of Saxon Hall. Saxon Hall is a Free Masons Hall that hosts masonic events, banquets, weddings, conferences etc. according to its website.
15. The solar panels will be erected on an auxiliary car park which the applicants state is seldom utilised. The proposed solar array will cover an area measuring roughly 264m<sup>2</sup> and the panels will be positioned in rows. According to plan reference 24.171/01 Revision A, the layout of the solar array will comprise 9 rows with 13 panels in each row (one row will contain 6 panels), which cumulatively would amount to 110 PV solar panels. The panels will be affixed to the ground, which comprises of hard standing and topographically the application site is relatively flat. The proposed panels will be erected at a south facing angle in order to maximise solar energy capture. According to plan reference 24.171/03 the panels will measure approximately 1m high as measured from the ground to the highest part of the panel. As previously stated, the array will be situated at the rear of Saxon Hall. The array will be located within an enclosure and the boundary treatment delineating the periphery of the enclosure will comprise of a 1.9m high (approx.) metal fence, with a gate on the south facing aspect to allow access/egress. Given that the fence is situated at the rear of the applicants premises it will not cause any demonstrable harm to the character and appearance of the streetscene, as the host premises will help to screen it when viewed from the public realm.
16. Moreover, the applicant has confirmed that the power which will be generated by the solar will be utilised solely by the applicant and the power will be used immediately, there will be no batteries to store any surplus electricity generated. Furthermore, there is no requirement for any additional structures/apparatus (other than what is already applied for as part of this application) for example inverter units. In addition to the above, the agent has also gone to great pains to explain that this particular location was chosen for the following reasons, which include best direction for production, least amount of shading, lowest

environmental impact and it cannot be readily seen from nearby homes/businesses.

17. It is considered that the development will integrate with the sites existing operations without obstructing access routes or impeding other operational uses of the applicants business and adjacent businesses.
18. The proposed solar array would be relatively modest in scale measuring roughly 264m<sup>2</sup> and situated towards the rear of the applicants property, which helps to screen the proposal from any public vantage points. Nevertheless, it is accepted that the array is utilitarian and functional in appearance. However, given the location and the relative low height of the proposal, it will not appear overly conspicuous or stridently stark and the impact on the character and appearance of the streetscene will be negligible. Furthermore, given the nature of the surrounding boundary treatment which delineates the applicants property will to a certain extent help to mitigate any negative externalities associated with the proposal. The case officer is of the opinion that the wider public benefits from renewable energy production in allowing the proposal will clearly outweigh any harm to the character and appearance of the urban vernacular.
19. Overall, it is considered given the overall nature, size and scale of the development, it is considered that the development would be of an acceptable overall design and would not result in any material harm to the character and appearance of the site or the wider street scene. The proposal is therefore acceptable and complies with policy DM1 in this regard and guidance advocated within the NPPF.

#### Impact on Residential Amenity

20. Paragraph 135 (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.
21. Amenity is defined as a set of conditions that one ought reasonably to expect to enjoy on an everyday basis. When considering any development subject of a planning application a Local Planning Authority must give due regard to any significant and demonstrable impacts which would arise as a consequence of the implementation of a development proposal. This impact can be in terms of overlooking, loss of light or creating a degree of overbearing enclosure (often referred to as the tunnelling effect) affecting the amenity of adjacent properties.



22. As previously stated, the application site is situated in a predominately commercial/retail area and the site flanked on either side by large commercial units. In the opinion of the case officer given the location, size and nature of the proposed solar array is considered acceptable and there would be no significant adverse visual impact or other amenity issues. Moreover, it is noted that no letters of representation have been received from any of the neighbouring buildings in relation to the proposal, and whilst not a determinative factor it is an important consideration. Overall, in the opinion of the case officer it is considered that the proposal will not result in any significant demonstrable harm attributable to loss of privacy, overbearing impact, over domination or overshadowing and the proposal complies with policy DM1 and advice advocated within the NPPF.

#### Impact on Southend Airport

23. Colleagues at London Southend Airport were consulted regarding the proposed development and issued a holding objection. They were concerned that the proposed solar array may have an impact on the airport, and they sought a glint and glare assessment to be produced so that they understood any impact (if any) that the proposal may have on the smooth and safe running of the airport. Moreover, they stated that the proposal must be sited at least 3m away from the airport boundary fence.
24. Following receipt of this objection, the applicant has produced a Glint and Glare Assessment, which has been prepared by messrs.Herrington and is dated March 2025. The report reaches the following conclusions:

*“The detailed analysis undertaken as part of this assessment has examined the potential glare impact of the proposed solar PV development at Saxon Hall, Aviation Way, Southend-on-Sea, Essex, SS2 6UN, to aviation activity at London Southend Airport. Four key receptors have been identified and included in this assessment: the Air Traffic Control Tower (ATCT) Flight paths (FP) 05 and 23, and the Runway.*

*In line with the assessment criteria set out by the UK CAA and US FAA, it has been shown that the potential glare registered as a result of the proposed solar PV development to FP 23 and the Runway will be limited to green glare. As green glare is categorized as low potential for after image, it can be concluded that the impact will be negligible. There will be no instances of glare recorded at FP 05.*

*Whilst the ATCT will experience green glare as a result of the proposed solar panels, it has been shown that when the aircraft hanger situated in the direct pathway between the proposed solar panel site and the ATCT is included in the analysis, there will be no instances of glare to the ATCT”.*

25. Following the completion of the Glint and Glare Assessment, colleagues at London Southend Airport were reconsulted. They expressed no further concerns or objections, given the assessment's conclusion that there would be no significant glare impact. However, they noted that if construction activities required cranes or piling rigs, a separate assessment would be needed for these specific activities. In addition to the glare concerns, the applicant confirmed that the proposed solar array would be situated more than 3 metres away from the airport's boundary fence, addressing safety concerns regarding proximity.
26. In light of the favorable conclusions from the Glint and Glare Assessment and the subsequent re-consultation with London Southend Airport, the case officer has reviewed the proposal. The officer is of the opinion that the development will not result in any significant detrimental harm to the safety of the airport's operations and, therefore, the proposal aligns with policy DM1.

#### Impact on Highway Safety

27. 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.
28. In accordance with paragraph 116 of the NPPF, 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.
29. According to the submitted plans and accompanying planning application forms the applicant confirms that the access and egress arrangements into the site remain unaltered. The agent acknowledges that the proposed solar array will be erected on an overflow car park, which is situated towards the rear of the premises. The agent within their supporting statement states that *"Given that the overflow car park is infrequently used, the placement of solar panels here effectively repurposes the space for clean energy production, contributing to Saxon Hall's energy independence and generating additional income for facility upkeep and community services offered"*. The case officer observed that there was a large car park serving the premises located to the north east of the application site. Furthermore, there are additional parking spaces located to the front of the premises and immediately to the south, all of which are situated within the curtilage of the building. Another material consideration is that the application site is situated in a highly sustainable location and is readily accessible by a variety of public transport modes.

30. Notwithstanding the above, the case officer considered it prudent to consult colleagues within Essex County Council Highway Authority who state that *“The proposed PV panels will not affect the adjacent public right of way footpath and off-street parking is retained within the curtilage. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority”*.
31. Overall, it is not considered that the proposal will result in an unacceptable impact on highway safety. Moreover, there is sufficient space within the applicants curtilage for vehicles to be parked clear of the public highway and so that they can access/egress the site in a forward propelling gear. Furthermore, the case officer considers that the application site is situated in a highly sustainable location with good access to public transport. Therefore, given the factors cited above there is no reason for the Local Planning Authority to take an alternative view and the proposal 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.

#### Sustainability

32. It is considered that the proposal is broadly consistent with the aims and objectives of NPPF and in addition to the policies contained within the Local Development Management Plan which encourage the incorporation of renewable energy solutions in industrial settings (amongst others). It is envisaged that the development if approved will help to contribute to the challenges of climate change by helping to reduce carbon footprints and supporting green energy, which is a significant material consideration.

#### Trees

33. Policy DM25 of the Development Management Plan seeks to protect existing trees particularly those with high amenity value. In particular policy DM25 states: -

*“Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.*

*Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.”*

34. There are no trees of significance located on or close to the proposed development which would be affected by the proposed works.

#### Flooding

35. According to the Environment Agency's Flood Risk Map the application site is located entirely in Flood Zone 1, where there is the lowest probability of flooding from rivers and the sea and to where development should be directed. As such the development is compatible with the advice advocated within the NPPF.

#### Ecology

36. The National Planning Policy Framework at paragraph 180 indicates the importance of avoiding impacts on protected species and their habitat where impact is considered to occur appropriate mitigation to offset the identified harm. The council's Local Development Framework Development Management Plan at Policy DM27, requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible. In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.
37. Following the production of Publicly Available Specification (PAS 2010) by the British Standard Institute (BSI), local governments now have clear guidelines by which to take action to ensure that they help halt the loss of biodiversity and contribute to sustainable development.
38. Section 40 of the Natural Environment and Rural Communities (NERC) Act (2006) places a duty on public authorities to have regard for the purpose of conserving biodiversity. PAS 2010 aims to reduce the varied applications of this obligation, ensuring that all parties have a clearer understanding of information required at the planning stage. Section 41 of the NERC Act (2006) identifies habitats and species which are of principal importance for the conservation of biodiversity in England. There are 56 habitats and 943 Species of Principal Importance in England (SPIE), and most of the UK's protected species are listed under Section 41. Whilst the possible presence of a protected species is accompanied by legal obligations and will remain the first consideration of planning departments, the total biodiversity value of a site must now be considered.

39. As previously stated, the whole of the application site is covered in existing hardstanding. Furthermore, given the nature of the surrounding land uses it is unlikely that any protected species will be on site and as such the proposal will not have a detrimental impact on ecological species in the area.

#### BNG

40. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. A minimum 10 percent BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) subject to some exceptions.
41. The applicant has indicated that they consider that the development proposed would not be subject to the statutory biodiversity net gain requirement because one of the exemptions would apply. Following a site visit and assessment of on-site habitat and consideration of the nature of the development proposed, officers agree that the proposal would be exempt from the statutory biodiversity gain condition because the development meets one of the exemption criteria, i.e. relating to custom/self-build development. The applicant has not therefore been required to provide any BNG information

#### Equalities and Diversity Implications

42. The Public Sector Equality Duty applies to the Council when it makes a decision. The duty requires us to have regard to the need:
- To eliminate unlawful discrimination, harassment, and victimisation.
  - To advance equality of opportunity between people who share a protected characteristic and those who do not.
  - To foster good relations between those who share a protected characteristic and those who do not.
43. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
44. Taking account of the nature of the proposed development and representations received, it is considered that the proposed development would not result in any impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

## CONCLUSION

45. Approve.

## CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: No reply received.

Essex County Council Highways Authority: The proposed PV panels will not affect the adjacent public right of way footpath and off-street parking is retained within the curtilage. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority

London Southend Airport: No objection. However, please note if a crane or piling rig / lifting equipment are required during installation this will need a separate assessment. please just contact me when you get to that stage.

Neighbour representations: No responses received.

### Relevant Development Plan Policies:

National Planning Policy Framework (December 2024).

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) – policy CP1.

Rochford District Council Local Development Framework Development Management Plan (December 2014) – policy DM1.

Essex County Council and Essex Planning Officers Association Parking Standards: Design and Good Practice Supplementary Planning Document (December 2010).

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 24.171/01 Revision A (Proposed Site Layout Plan ) (as per date stated on plan November 2024), 24.171/03 (Proposed section, elevations and floor plans) (as per date stated on plan



November 2024), 24.171/02 (Proposed Location Plan and Site Plan) (as per date stated on plan November 2024) and 24.171/04 (Proposed Fence Enclosure) (as per date stated on plan February 2024).

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. Notwithstanding the details shown on plan reference 24.171/04 (Proposed Fence Enclosure), the fence shall be painted black or green unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the character and appearance of the locality in accordance with policy DM1 of the Rochford District Council Local Development Framework Development Management Plan.

The local Ward Members for the above application are Cllr. Angelina Marriott, Cllr. M. J. Steptoe and Cllr. A. L. Williams.

Application No :	24/00873/FUL      Zoning : Educational Land
Case Officer	Mr John Harrison
Parish :	Rayleigh Town Council
Ward :	Sweyne Park and Grange
Location :	Our Lady Of Ransom Catholic Primary School Little Wheatley Chase Rayleigh, SS6 9EH
Proposal :	Proposed new single-storey building to provide an additional classroom

## **SITE AND PROPOSAL**

1. Our Lady of Ransom Primary School is located on the west side of Little Wheatley Chase with houses opposite. The school buildings are one- and two-storey. To the north and west is open land. To the south is the Rayleigh Grange Community Centre which is set in a large field used as a recreation ground.
2. The application is for a single-storey classroom which would be for special educational needs children to be located in the south-eastern corner of the site in front of the envelope of buildings. It would have varnished wood walls and a low-pitched rubber covered roof. It would be 10 metres by 6 metres and have a height of 3 metres. The entrance door would be in the northern elevation and it would have a window on either side. The western side would have four windows and the other sides no openings.

## **RELEVANT PLANNING HISTORY**

3. Whilst a number of applications have been made on this site, none are particularly relevant to this proposal.

## **MATERIAL PLANNING CONSIDERATIONS**

4. 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.
5. 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**

6. The proposed building will be close to Little Wheatley Chase and therefore visible from it, though trees would to a degree screen it. It is a building of simple design and considered acceptable in appearance terms.

### **Impact on Residential Amenity**

7. The building is intended to be an additional facility for the school and would not result in more pupils being taken on. If this were to change in future, it would only accommodate a relatively small number of pupils. Whilst this would result in some more comings and goings, their impact against the backdrop of wider school activities upon the residents to houses opposite would not be significantly noticeable.

### **Green Belt Impact**

8. Although this site is not in the Green Belt, the community centre to the south is. The building proposed is single-storey and would be screened by existing trees from the south. A proposal for a multi-storey building on this site would be likely to be considered problematical because of its impact on the Green Belt, but what is proposed would not have a significantly harmful impact on the Green Belt.

### **Access and Parking**

9. As this is intended to be an additional facility for the school, it is not considered to require additional parking provision and will not result in significant additional traffic generation. Even if this ceased to be the

case at some stage, as explained above, it is a relatively small classroom, so would not have a major highways impact.

#### Disabled Access

10. The classroom would have double doors which can be difficult for a person in a wheelchair to access. It is not considered wheelchair users would be likely to enter the classroom very often and a staff member would be likely to be available to assist if necessary. It would be necessary to impose a condition to require the access to either be level or to have a suitable ramp and such a condition is recommended.

#### Flood Risk

11. The site is in flood zone 1 the area least at risk from flooding and to where development should be directed. The site is not known to be liable to surface water flooding.

#### Trees Issues

12. There are some trees to the south of the site on the adjacent community centre land. However, it is not considered that these trees are close enough to the application site to be impacted by the proposed development, nor are they subject to Tree Preservation Orders.

#### Biodiversity Net Gain

13. This is an application to which the duty to provide 10% biodiversity net gain under the provisions of the Environment Act 2021 applies. The submitted biodiversity metric indicates that this habitat enhancement would achieve at least 10% BNG. Exactly how the development would achieve the mandatory BNG is however a matter which would be dealt with in the discharge of the mandatory condition post issue of a planning consent. The applicant would have to submit a Biodiversity Gain Plan for the Council's approval. An informative is recommended to highlight the need for the applicant to discharge the BNG condition prior to commencement of development. Essex County Council Place Services ecology team have reviewed the submitted BNG information and are satisfied that the site could deliver the required biodiversity gains. A planning condition is recommended to ensure that any on-site habitat enhancement required as part of the agreed Biodiversity Gain Plan would be delivered and managed.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

14. The Public Sector Equality Duty applies to the Council when it makes a decision. The duty requires us to have regard to the need:

- To eliminate unlawful discrimination, harassment, and victimisation.
- To advance equality of opportunity between people who share a protected characteristic and those who do not.
- To foster good relations between those who share a protected characteristic and those who do not.

15. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.

16. It is considered that the proposed development would impact on one or more protected groups as defined under the Equality Act 2010 and an Equality Impact Assessment (EIA) has been completed. This indicates that the proposal would not have a disproportionately adverse impact on any people with a particular protected characteristic. If the proposal were to go ahead, it would benefit the young children who use the nursery and approval is recommended.

## **CONCLUSION**

17. This is a proposal that results in no significant detrimental impacts. One minor downside is the double-door entrance is not ideal in terms of disabled access, but on balance is considered acceptable and can be managed by the school. In all other respects the proposal is considered acceptable and relevant policies are complied with. Therefore, approval is recommended.

## **CONSULTATIONS AND REPRESENTATIONS (summary of responses):**

Rayleigh Town Council: No comments received

Neighbour representations: No comments received

Essex County Council Place Services: No objection subject to securing ecological enhancement measures, including mandatory biodiversity net gains. Conditions recommended.

### **Relevant Development Plan Policies:**

National Planning Policy Framework 2024.

Core Strategy Adopted Version (December 2011) – H1, CP1, ENV1, ENV3, CLT2, T8.

**RECOMMENDATION: Approve**

Conditions:

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

REASON: As required by 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 proposed development shall be carried out in accordance with plan number PP13614619v2, unnumbered roof plan, unnumbered floor plan, unnumbered site plan and unnumbered elevation drawing.

REASON: For the avoidance of doubt and to define the limits of the permission.

3. The development hereby approved shall not commence until a Landscape Ecological Management Plan (LEMP) prepared in accordance with the approved Biodiversity Gain Plan for the site, has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include;
  - (a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the LEMP;
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - (d) the timeframe for the implementation of actions required to facilitate the creation of the planned on-site habitat (including new habitat and enhancement of habitat) (e.g., planting schedules);
  - (e) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 5 years from the date on which the actions to create the habitat/enhancement were agreed in respect of (d) above including when and what remedial action or adaptive management will be undertaken and in what circumstances to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

The on-site habitat shall be created in accordance with the approved Biodiversity Gain Plan and within the timeframe for implementation of actions as approved in the LEMP. The on-site habitat shall be maintained in accordance with the approved Biodiversity Gain Plan and the approved LEMP as required by (e) above.

REASON: To ensure the delivery of on-site habitat enhancement/creation which contributes to the requirement of the development to deliver at least 10% BNG as required by Schedule 7A, Part 1, of the Environment Act.

4. If the entrance to the proposed building is not to be provided with level access, prior to the first beneficial use of the building a ramp shall be installed details of which have been submitted to and approved by the Local Planning Authority beforehand.

REASON: To ensure satisfactory disabled access to the building.

The local Ward Members for the above application are Cllr. Vilma Wilson, Cllr. Elizabeth Brewer and Cllr. Lisa Newport.

Application No :	25/00092/FUL      Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Hockley Parish Council
Ward :	Hockley
Location :	24 Marylands Avenue Hockley Essex
Proposal :	Change of use of room within the side extension for mixed personal and business use as a hair salon

## **SITE AND PROPOSAL**

1. The application site is located on the eastern side of Marylands Avenue, Hockley. The street scene is residential, and this is reflected in the character. There is a mixture of property types and form on the street including two storey dwellings, bungalows and chalet style properties.
2. The application property is a semi - detached two storey dwelling with associated flat roofed garage to the north of the main dwelling. It is noted that many of the properties on the street have similar flat roofed garages to the sides of the main dwellings. No. 26 is located to the north of the application property, and No. 22 to the south which is the adjoined neighbour. No. 26 is a bungalow, with its garage sitting between the main dwelling and the application site. The adjoined neighbour No. 22 is also a two storey dwelling. The ground level gradually decreases on the street towards the north, meaning No. 26 is



of a lower ground level in comparison to the application property. There is a side gate allowing access to the application property and sits between the existing garage of No 24 and the garage of No 26.

3. The proposal is for change of use of the attached garage with a ground floor side extension for mixed personal and business use as a hair salon.

## **RELEVANT PLANNING HISTORY**

4. Application No. 22/00101/FUL - Single storey rear/side extension & garage conversion – Approved - 30.03.2022.
5. Application No. 22/00102/LDC - Application for a certificate of lawfulness for proposed loft conversion with rear dormer and rooflights to front – Permitted - 28.03.2022.
6. Application No. 23/00129/FUL - Proposed two storey side extension & garage conversion – Refused - 12.04.2023. Reason for refusal:

*“The siting of the proposed extension at two storey level next to a significantly lower height bungalow, with the decreasing land level to the north would make the proposal visually jarring in this context, to the detriment of visual amenity in the street and with the application dwelling having a poor relationship with the northern neighbouring bungalow. The extension, due to the height proposed, is not considered to be of outstanding design in the context and would not help raise the standard of design in the area. The proposal is considered to be of inappropriate scale, mass and design in the street context, which would give rise to a detrimental impact on the character of the application site and street scene. If allowed the proposed extension would have a poor relationship with the adjoining bungalow contrary to part (x) to policy DM1 of the Council’s Development Management Plan and fail to fit with the overall form and layout of the site surroundings and fail to raise the standard of design more generally in the site area contrary to paragraph 134 b) to the National Planning Policy Framework (2021)”.*

7. Application No. 23/00642/FUL - Proposed single storey rear/side extension & garage conversion with hipped 'lean to' roof – Approved – 13<sup>th</sup> September 2023.

## **MATERIAL PLANNING CONSIDERATIONS**

8. 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.

9. 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

10. Chapter 6 of the National Planning Policy Framework (NPPF) articulates the government's objective to foster sustainable economic growth through the planning system, underscoring that planning should facilitate rather than constrain development. It stresses that significant weight must be placed on supporting economic growth and productivity, with due consideration given to both local business requirements and broader development opportunities. In a similar vein, Policy DM33 of the Development Management Plan seeks to support home-based employment, provided that such uses do not adversely impact the character or amenity of the surrounding residential area. This policy establishes a framework whereby the facilitation of economic activity, particularly through home working, must be balanced against the need to safeguard the residential environment, ensuring that economic growth is achieved without compromising the quality of life in local communities.

#### Impact of the Proposal

11. According to the submitted plans the applicant is proposing to make internal alterations to the previously approved single-storey side extension (application number 23/00642/FUL), with no changes to the building's external elevations. The approved utility room (which is situated at the rear of the extension) will be converted into a hairdressing salon, which will include one workstation, an area for washing hair and a desk for administrative purposes, in the event that planning permission is approved. The proposed salon will be accessed via a personnel door on the flank elevation of the extension. The shower room, as initially planned, will remain unchanged. Additionally, the cloak room will now be repurposed as the utility room. Importantly, the proposal does not involve any alterations to the external façade or structure of the extension, ensuring that the building's visual appearance and the character within the street scene remains unaffected. As the external elevation remains intact, the proposal is considered to have no adverse impact on the overall appearance of the area and complies with policy DM1, which seeks to protect the aesthetic and architectural integrity of the environment.
12. As previously intimated the application site is situated in a predominantly residential area. Consequently, the proposed change of use to a hairdressing salon raises concerns regarding potential impacts on the amenities of neighbouring properties. According to the submitted planning application, the applicant wishes to transition from a mobile hairdressing service to operating from home, providing greater flexibility in managing childcare for her young children while reducing travel time.

While the applicant acknowledges the possibility of noise and disturbance from patron visits and the use of equipment such as hairdryers, these are not anticipated to cause significant harm to residential amenity. The potential noise impacts, such as car doors closing and conversation, are not considered substantially different from typical residential activities. Nevertheless, the case officer is mindful of the possible effects of odours from hair products and the use of noisy equipment, intensification of comings and goings of clients etc. Moreover, it is vital to ensure that the proposed use remains ancillary and incidental to the enjoyment of the dwellinghouse.

13. In accordance with Policy DM33, which seeks to protect residential amenity from excessive noise, pollution, and disturbance, it is necessary to carefully consider the impact of the proposed use. The case officer believes that, with appropriate conditions in place, the proposed use would comply with the policy by ensuring that the salon does not generate significant noise or disruption. Restrictions such as limiting the scale of the business, hours of operation, and the number of clients would help achieve this objective.
14. The applicant has provided details of the scale of the business which are shown on plan reference 21/621 3600 and indicates that there will be one workstation and an additional chair for washing hair. The submitted plans indicate that the salon would occupy a small proportion of the existing extension, limiting the potential for future expansion. The case officer considers that the modest size of the extension serves as a natural constraint on the intensity of the use. To ensure compliance with Policy DM33 and to prevent any future intensification, it is recommended that the use be made personal to the applicant and that any future increase in the scale of the business be restricted by conditions, for example, limiting the number of workstations.
15. Additionally, to ensure that the proposal does not have a detrimental impact on residential amenity or surrounding properties, the imposition of planning conditions is considered necessary. These may include restrictions on the operating hours, limitations on the number of clients served per day, and ensuring that no staff are employed beyond the applicant. It is noted that no letters of objection have been received from any of the neighbouring properties in relation to the proposal, and whilst not a determinative factor it is an important consideration.
16. As alluded to above, the applicant has requested the following operating hours for the proposed hairdressing salon: Monday to Friday from 0900 to 2100, Saturday from 0900 to 1700, and Sunday from 0900 to 1300. However, there is concern that the proposed hours may result in undue disturbance to neighbouring properties, particularly in a residential setting. In accordance with Policy DM33, which seeks to protect residential amenity, the case officer recommends adjusting the operating hours to mitigate the potential impact of noise and other associated activity. It is proposed that the operating hours be restricted

to Monday to Friday from 0900 to 2000, Saturday from 0900 to 1300, and no operation on Sundays or Bank Holidays. These adjusted hours are considered to balance the applicant's business needs with the need to protect the residential amenity of the surrounding area.

17. In conclusion, the proposed change of use to a hairdressing salon is considered to be in compliance with Policy DM33, provided that appropriate planning conditions are imposed. The proposed use, if controlled through conditions, will not significantly harm the residential amenity of neighbouring properties. Restrictions on the operating hours, number of clients, and the personal nature of the permission are considered necessary to ensure that the proposal remains in line with the objectives of protecting residential amenity as outlined in Policy DM33. Therefore, subject to the proposed conditions, the application is considered acceptable.

#### Highways

18. 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.
19. The Council has recently adopted the Essex Parking Guidance (2024), which now supersedes the previous 2009 guidelines used by Rochford District Council. The guidance 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.
20. In accordance with paragraph 116 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.
21. The applicant has outlined provisions for client parking, specifying that clients will park on the driveway and access the salon via a side door, thereby minimizing the potential for disruption to neighbours. The applicant also confirms that no staff will be employed, and no more than two clients will be scheduled at any given time, with a maximum of five to seven clients per day. Given these arrangements, it is considered that the proposed use will not result in significant traffic congestion or on-street parking demand. The availability of off-street parking on the applicant's driveway is considered sufficient to meet the needs of the salon without negatively impacting the residential area. In line with Policy DM33, which encourages appropriate off-street parking

provision and avoids parking or traffic congestion in residential areas, this provision is considered to be satisfactory.

22. Notwithstanding the above, the case officer considered it prudent to consult colleagues in Essex County Council Highways Authority regarding the proposal and they state that

*“The proposal includes change of use of part of the dwelling to provide mixed use. A side ramped access is included and the front stepped access to the dwelling has been reconstructed. Adequate room is retained on the driveway for a minimum of two off-street parking spaces. Should a third space be provided this would require an extension to the existing dropped kerb. Marylands Avenue is an unclassified road, any works in the highway require permission from the Highway Authority. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority”.*

23. As stated above, the Highways Engineer has reviewed the proposal and has no objections subject to the imposition of standard informatives, which will be attached to the decision notice.
24. In the opinion of the case officer the proposed off-street parking arrangements are considered adequate to prevent any adverse impact on traffic or the visual character of the residential area. Overall, it considered that the proposal subject to the imposition of the aforementioned informative 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.

BNG

25. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. A minimum 10 percent BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) subject to some exceptions.
26. Whilst change of use applications are not exempt per se from the BNG regulations, they will usually fall under the de minimis exemption set out in the aforementioned regulations. This is because where a change of use application is submitted the land in question is already developed and so any habitat score will likely be zero and so no BNG is required.
27. The applicant has indicated that they consider that the development proposed would not be subject to the statutory biodiversity net gain requirement because one of the exemptions would apply. Following a site visit and assessment of on-site habitat and consideration of the

nature of the development proposed officers agree that the proposal would be exempt from the statutory biodiversity gain condition because the development meets one of the exemption criteria, i.e., relating to custom/self-build development or de-minimis development or because the development is retrospective. The proposal is considered de minimis as it relates to a change of use and therefore the applicant has not been required to provide any BNG information.

28. As the proposal is for development to which the statutory biodiversity gain condition would not apply, a planning informative to advise any future developer that they would not have to discharge the statutory gain condition prior to the commencement of development is recommended.

#### Equalities and Diversity Implications

29. The Public Sector Equality Duty applies to the Council when it makes a decision. The duty requires us to have regard to the need:

- To eliminate unlawful discrimination, harassment, and victimisation.
- To advance equality of opportunity between people who share a protected characteristic and those who do not.
- To foster good relations between those who share a protected characteristic and those who do not.

30. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.

31. Taking account of the nature of the proposed development and representations received, it is considered that the proposed development would not result in any impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

#### **CONCLUSION**

32. Approve.

#### **CONSULTATIONS AND REPRESENTATIONS (summary of responses):**

Hockley Parish Council : No reply received.

Essex County Council Highways Authority: No objection subject to imposition of standard informatives.

Neighbour representations: No responses received.



### **Relevant Development Plan Policies:**

National Planning Policy Framework (December 2024).

Core Strategy Adopted Version (December 2011) policy CP1.

Development Management Plan (December 2014) Policies DM1, DM30, DM33.

Essex Planning Officers Association Parking Guidance Part1: Parking Standards Design and Good Practice (September 2024) (Adopted 16th January 2025).

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: 21/621 3600 (Proposed Elevations, Floor Plan, Roof Plan, Site Plan and Location Plan) (as per date stated on plan 10<sup>th</sup> July 2023) and the Location Plan (as per date stated on plan 10<sup>th</sup> February 2025).

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. The use hereby permitted shall be carried on only by Mrs. N. Lisner and no other persons shall be employed at the site in relation to this use. When the dwellinghouse at the site ceases to be occupied by Mrs. N. Lisner, the use hereby permitted shall cease and all materials and equipment brought onto the premises in connection with the use shall be removed.

REASON: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises if Mrs. N. Lisner leaves the property in the interests of residential amenity.

4. There shall be no more than one workstation provided for hairdressing purposes within the premises.

REASON: In order to protect the amenities of adjoining residents and the residential character of the area in accordance with Policy DM33 of the Rochford District Council Local Development Framework Development Management Plan.

5. The use of the extension for hairdressing purposes shall not take place other than between the hours of:

Monday to Friday 0900 hrs to 2000 hrs  
Saturday 0900 hrs to 1300 hrs  
Sunday Nil hrs

[With no Sunday or Bank Holiday working]

REASON: To protect residential amenity and general environment quality.

6. No more than two clients shall be permitted to use the hairdressing salon at any one time. The total number of clients using the hairdressing salon shall not exceed seven patrons within a 24-hour period. The applicant shall maintain a daily log of clients, including appointment times and client names, to ensure compliance with the above restrictions. The log shall be made available for inspection upon request by the Local Planning Authority.

REASON: In order to safeguard the residential amenity of adjoining properties and prevent traffic congestion in the locality, in accordance with Policy DM1 and guidance advocated within the NPPF.

The local Ward Members for the above application are Cllr. A. H. Eves, Cllr. J. R. F. Mason and Cllr. P. Capon.

Application No :	24/00885/FUL      Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Hawkwell Parish Council
Ward :	Hawkwell West
Location :	10 Gregory Close Hawkwell Essex
Proposal :	Partial demolition and alterations to existing dwelling including rear dormer extension comprising of 2No. bedrooms. Construction of new self-build dwelling to rear with associated garage, parking and gated access with additional new crossover to front of existing dwelling.

## **SITE AND PROPOSAL**

1. The application site consists of a single-storey detached residential dwelling located to the north east of Gregory Close and a parcel of land to the rear of this dwelling. The existing dwelling is constructed of facing brick with partial render and a pitched roof. A hardstanding drive is found to the side elevation of the dwelling which extends significantly towards the highway and provides access to the land at the rear to which the most part of this application refers.
2. There is a general uniform character to the existing street scene. Dwellings are single-storey bungalows which are of similar visual character to the application dwelling.
3. The application proposes alterations to remove part of the width of the existing dwelling and extension to the existing dwelling No. 10, consisting of an extension to the rear dormer. The application primarily proposes the construction of a single-storey bungalow to the parcel of land to the rear of the dwelling, and associated garage and gated access. A new vehicle crossover is proposed to the front. The land on which the proposed dwellinghouse is to be sited has been cleared and is relatively flat.

## **RELEVANT PLANNING HISTORY**

4. No relevant planning history pertinent to this site.

## **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.

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.
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 the outside wall of habitable rooms and plot boundaries.
11. Policy CP1 of the Council's Core Strategy and Policy DM1 of the 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 Council's 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 application constitutes a full planning application submitted under Section 78 of the Town and Country Planning Act in respect of alterations and extensions to the existing dwelling and the construction of a new self-build dwelling within a spacious plot of land to the rear of an existing dwelling in a predominantly residential area.

#### Housing Land Supply

13. Rochford District Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (NPPF). Consequently, in accordance with paragraph 11(d) of the NPPF, the 'tilted balance' is engaged. This means that the presumption in favour of sustainable development applies, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
14. The recent Annual Monitoring Review for Rochford Council states that the Authority has a 5-year housing land supply of 4.53 years and as such the Authority lacks a five-year supply of deliverable housing sites. By allowing this proposal there will be a NET increase in the number of dwellings (albeit by 1No.) and as such if the proposal was permitted it would contribute in a small way to the existing shortfall, which is an important material planning consideration that cannot lightly be put aside.

#### Design

15. Good design is promoted by the Framework as an essential element of sustainable development. It advises that planning permission should be refused for development that amounts to poor design that fails to take opportunities available for improving the character and quality of the area.
16. Policy CP1 of the Rochford District Council Core Strategy (2011, henceforth 'The Core Strategy') promotes high quality design which has a regard to the character of a local area. Design is expected to enhance the local identity of the area. This is echoed within Policy DM1 of the Development Management Plan (2014) which 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*'. Policies DM1 and CP1 advise that proposals should have regard to the detailed advice and guidance within Supplementary Planning Document 2 (SPD2).

17. Policy DM1 seeks a high standard of design requiring that developments promote the character of the locality to ensure that development positively contributes to the surrounding built environment. Part (ix) of this policy specifically relates to the promotion of visual amenity, part (x) refers to establishing a positive relationship with existing and nearby buildings and regard must also be had to the detailed advice and guidance in Supplementary Planning Document 2- Housing Design, as well as to the Essex Design Guide.
18. The proposed rear alterations to No. 10 are considered acceptable in design terms. These would consist of the demolition of the flank wall of No. 10 and rebuilding closer to the dwelling to allow for access and a vehicle to pass alongside through to the proposed new dwelling. It is also proposed to construct a dormer window to the rear roof slope with flat roof. The dormer would have a width of some 5.5m, height of some 2.3m and projection of some 4.3m. It is considered that the dormer would appear appropriately subservient and in proportion to the existing dwelling and surrounding street scene; it would largely mirror that found on the attached neighbouring dwelling.
19. In respect of the proposed dwelling, this would have a total width of approximately 16.76m and a total depth of approximately 14.62m and would accommodate 3 No. bedrooms and associated living space. Whilst it is acknowledged that this would be a dwelling of significant size, it is not considered that the dwelling would appear disproportionate to the size of the plot. The dwelling would have sloped roof elements with a maximum height of approximately 5.674m. However, it is acknowledged that the roof would be comprised of two separate mono-pitched roofs with the western element of the dwelling being smaller in size and being set down from the rest of the dwelling. This would assist in alleviating some of the bulk of the development visually when viewed in relation to the surrounding dwellings.
20. Materials used for the external finishes are indicated to be facing brick, render, and timber boarding, with aluminium and uPVC fenestrations and a metal roofing system. Whilst these are considered acceptable in principle the Design and Access Statement indicates that colours are to be agreed on site by the applicant and as such, a condition requiring schedules of these to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any above ground works is recommended in the interest of ensuring these materials are appropriate for the area and protecting visual amenity.
21. The application also proposes the construction of a detached garage which would be sited to the western boundary of the site. This would



measure 6m in width and 7m in depth and would have a pitched roof with eaves height of 2.1m and ridge height of 4.07m. It would accommodate 2No. vehicles, cycle storage and refuse. The proposed detached garage is considered acceptable in design terms.

22. Having regard to the above, whilst it is acknowledged that the proposed dwelling would appear somewhat contemporary in relation to the surrounding street scene, it is not considered to appear incongruous or significantly out of character in this instance having regard to its siting and the fact that it would largely be screened from the street scene. The proposal is therefore considered to accord with Policy DM1 of the Development Management Plan and the NPPF in design terms in this instance.
23. Policy DM3 and SPD2 require consideration of a developments relationship with existing and proposed buildings. In this instance, whilst it is acknowledged that the interaction between the proposed dwelling and the surrounding neighbours would be somewhat irregular, this is not considered significantly detrimental in this case. The surrounding dwellings to the southern flank are all bungalows, and to the eastern flank are all two-storey. As such, the construction of a single-storey bungalow with a relatively low ridge height in this location is not considered significantly detrimental in terms of overshadowing. It is further pertinent to note that the proposed dwelling would sit lower than both the bungalows to the western flank and the two-storey dwellings to the eastern flank. As such, it is not considered to appear significantly obtuse or prominent within the street scene.
24. The Council's SPD2 also requires consideration of site frontage as a useful measure to guard against the overdevelopment of infill sites, requiring a minimum of 9.25 metres for detached properties or that sites have a frontage compatible or commensurate with the existing character of the area within which they are to be sited. In this instance, the proposed dwelling would not have a frontage of its own but would be accessed from the drive to the side elevation of No. 10, therefore it would not directly front the highway, and it is not considered necessary to assess the proposal against this criterion of the SPD.

#### Impact on Residential Amenity

25. Paragraph 135 (f) of the framework seeks to create places that are safe, inclusive and accessible and which promote health and wellbeing, 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.

26. Amenity is defined as a set of conditions that one ought reasonably to expect to enjoy on an everyday basis. When considering any development subject of a planning application a Local Planning Authority must give due regard to any significant and demonstrable impacts which would arise as a consequence of the implementation of a development proposal. This impact can be in terms of overlooking, loss of light or creating a degree of overbearing enclosure (often referred to as the tunnelling effect) affecting the amenity of adjacent properties.
27. Paragraph 1.92 of the Essex Design Guide (2018) states that a separation distance of 25m should be retained between rear elevations of neighbouring dwellings where habitable rooms are located. Paragraph 1.94 of the same reduces this separation distance to a minimum of 15m where a dwelling is orientated at 30-degrees or more away from the dwellings to the rear.
28. Paragraph 1.96 of the Essex Design Guide states that new housing development must retain a minimum separation distance of 15m to the rear application site boundary wherein a development sits adjacent to the rear elevation of existing residential dwellings.
29. The proposed dormer window is not considered significantly detrimental to the amenity of surrounding dwellings. Whilst it is acknowledged in this instance that the dormer would give rise to some sense of overlooking, the surrounding area is predominantly residential and as such some degree of overlooking is to be expected. The degree of overlooking that would arise as a result of the proposal is not considered significantly detrimental to the amenity that neighbouring dwellings can reasonably expect to enjoy in this instance.
30. The proposed dwelling would be single storey and would retain sufficient separation distance to the application site boundaries that the dwelling would not appear overbearing or overshadowing. Approximately 4.25m would be retained to the eastern boundary at the closest point, 5m to the southern boundary, 13.7m to the rear boundary, and approximately 49m to the front elevation. This is considered sufficient separation distance to each boundary (above the minimum 1m) that the dwelling, having regard to its single-storey nature and relatively low ridge height, would not appear significantly overbearing or overshadowing.
31. Whilst it is acknowledged that approximately 13.7m to the rear boundary would fall short of the 15m requirement in Paragraph 1.96 of the Essex Design Guide, this is considered a marginal shortfall which would not detrimentally impact on the amenity of the dwellings to the rear and is therefore within tolerance limits. In excess of 32m would be retained between the rear elevation of the dwelling proposed and the rear elevation of the dwellings to the rear and the proposal is therefore in accordance with Paragraph 1.92 of the Essex Design Guide.

32. It is acknowledged that SPD2 states that developments should not intrude into the 45-degree visibility zone of neighbouring rear facing windows as outlined by BRE, however this guidance cannot be applied for proposals adjacent to windows. BRE guidance states that a dwelling intruding into the 25-degree visibility zone of a neighbouring window is likely to restrict the amount of light received into these windows. In this instance, the proposed dwelling does not appear to intrude into the 25-degree visibility zone of any neighbouring windows and therefore it is unlikely that the dwelling would significantly restrict the amount of light received into these windows.
33. It is acknowledged that there have been several representations regarding overlooking as a result of the proposal. As mentioned above, in excess of 32m would be retained between the rear elevation of the development and the dwellings to the rear along Tudor Way. This is considered sufficient separation distance that the proposal would not significantly impact on privacy. Approximately 13.7m would be retained to the rear boundary. Whilst this falls short of the 15m required in the Essex Design Guide this is a marginal shortfall.
34. There is sufficient vegetative screening to the eastern site boundary which stands taller than the proposed dwelling. This is proposed to be retained as a result of the proposal and would provide sufficient screening that no outlook towards the rear elevations of the dwellings along Sudbury Close would be possible. There is also a close-boarded fence which has a height almost identical to the eave's height of the dwelling to this elevation, therefore all windows would be screened by this fence.
35. The representation received in relation to the vegetation to the northern application boundary which has since been removed and has had a direct impact on view is acknowledged. There is no right to a view and therefore this is not a material consideration in the determination of planning applications.
- Garden Sizes
36. The NPPF seeks the creation of places that are safe, inclusive, and accessible which promote health and well-being, with a high standard of amenity for future occupiers.
37. Policy DM3 of the Council's Development Management Plan requires the provision of adequate and usable private amenity space. In addition, the Council's adopted Housing Design SPD (SPD2) advises suitable garden spaces for each type of dwelling house. SPD2 states that a two-bedroom dwellinghouse should provide a minimum of 50m<sup>2</sup> of private amenity space, whilst a three-bedroom dwelling shall provide a minimum of 100m<sup>2</sup>.

38. The proposal would result in a garden area of 58 square metres for the existing two bedroomed dwelling and a garden way in excess of 208 square metres for the proposed bungalow and in excess of the requirements of SPD2 and would therefore be in accordance with Policy DM3 of the Development Management Plan.

#### Sustainability

39. The Ministerial Statement of March 25<sup>th</sup>, 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.
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 single-storey dwelling which would comprise of three bedrooms accommodating 6 people requires a gross internal floor area (GIA) of 95m<sup>2</sup>. The dwelling would provide 174.49m<sup>2</sup> of GIA and the proposal therefore exceeds the minimum requirements.
43. In addition to the minimum space requirements, a single-storey dwelling with 3No. bedrooms should provide 2.5m<sup>2</sup> of built in storage. The standards above stipulate that single bedrooms must equate to a minimum 7.5m<sup>2</sup> internal floor space while double bedrooms must equate to a minimum of 11.5m<sup>2</sup>, with the main bedroom being at least 2.75m wide and every other double room should have a width of at least 2.55m. 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.

44. The table below shows the GIA of each of the bedrooms.

Bedroom No. 1 (Master)	22.85m <sup>2</sup>
Bedroom No. 2	14.56m <sup>2</sup>
Bedroom No. 3	12.78m <sup>2</sup>

45. According to the submitted plans, all of the bedrooms comply with the aforementioned space requirements and provide adequate space to be considered double bedrooms. Some 2.95m<sup>2</sup> of built in storage would be provided on the first floor in the master bedroom of each dwelling and the proposal is therefore in accordance with the storage requirements.
46. 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 in the event of approval to ensure compliance with this Building Regulation requirement if the application were recommended favourably.
47. 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.

#### Drainage

48. 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 of any approval to requiring the submission of a satisfactory drainage scheme to ensure that any water runoff from the site is sufficiently discharged.

#### Domestic refuse

49. The Council operates a 3-bin system per dwelling consisting of a 240l bin for recycle (1100mm high, 740mm deep and 580mm wide), 140l for

green and kitchen waste (1100mm high, 555mm deep and 505mm wide) and 180l for residual waste (1100mm high, 755mm deep and 505mm wide). A high-quality development would need to mitigate against the potential for wheelie bins to be sited (without screening or without being housed sensitively) to the frontage of properties which would significantly detract from the quality of a development and subtly undermine the principles of successful place making. The guidance states that wheelie bins are capable of being stored within the rear amenity areas of properties which have enclosed areas but there is a requirement for each dwelling to be located within approximately 20m (drag distance) from any collection point. In this case the garage and garden space would provide adequate storage space whilst the drag distance is below 20m which is considered satisfactory.

#### Impact on Highway Safety

50. 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.
51. In accordance with paragraph 116 of the NPPF, 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, following mitigation, would be severe.
52. The proposal indicates that as part of the proposal, the existing hardstanding drive to the side elevation of No. 10 would be utilised as a private access road to the proposed dwelling. The front application site boundary of No. 10 would be altered to provide a dropped kerb for new vehicular parking.
53. Essex County Council were consulted on the proposal as Local Highways Authority and raise no concerns nor do they wish to restrict the grant of planning in this instance subject to the recommended conditions and informatives. Therefore, whilst the proposed access would be somewhat irregular, it is not considered detrimental to the safe operation of the highway network and is therefore considered acceptable.
54. Essex County Council Parking Guidance (2024) requires that development provide off-street parking proportional to the site's connectivity level as defined in Appendix A of the same. The application site is located in an area deemed to have 'low' connectivity and therefore there is a requirement to provide 2No. off street parking spaces.



55. The submitted plans indicate that 2No. spaces will be provided to the front elevation of the detached garage. 2No. spaces would also be provided within the garage itself. The requirements of the Essex Parking Guidance (2024) are therefore met, and the proposal is in accordance with Policy DM30.
56. Whilst it is acknowledged that the Design and Access Statement refers to technical parking standards, it is pertinent to note that these standards have been superseded by the adoption of the Essex Parking Guidance in January 2025. Notwithstanding, the proposal complies.
57. Colleagues in Essex County Council Highways Authority have been consulted do not consider that the proposal would be detrimental to the highway network. More specifically they state *“The proposal includes subdivision of the site, reduction in size of the host dwelling and creation of one new dwelling to the rear of the site. The proposed dwelling will use the existing vehicle access, and the host dwelling requires a new vehicle access from the turning head. Off-street parking is included. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable”*.
58. The Highways Engineer goes on to state that they have no objections to the proposal subject to conditions relating to no unbound materials, cycle parking provision, residential travel information pack, new access to be provided at a width not less than 3m, prior to first occupation on-site parking and turning area to be provided, reception and storage of building materials, and standard informatives.
59. In conclusion, the Highways Authority has reviewed the submitted information and conclude 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 view and any intensification resulting from the provision of 1No. additional dwelling in this area is not deemed to be of such severity that would warrant refusal of the application. Overall, it considered that the proposal subject to the aforementioned conditions 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.

#### Trees

60. Policy DM25 of the Development Management Plan states that:

*“Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.*

*Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.”*

61. During the case officers visit, it was noted that the parcel of land is relatively open. Representations received indicate that there was previous vegetation but that this has been removed; this is inconsequential to the determination of this application. There is mature vegetative screening to the east, south, and west boundaries which is indicated to be retained as a result of the proposed development.

#### On-site ecology

62. Paragraphs 192 – 199 of the National Planning Policy Framework indicate the importance of avoiding impacts on protected species and their habitat. Where impact is considered to occur, appropriate mitigation is required to offset the identified harm. The council's Local Development Framework Development Management Plan at Policy DM27, requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible. In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.
63. Following the production of Publicly Available Specification (PAS 2010) by the British Standard Institute (BSI), local governments now have clear guidelines by which to take action to ensure that they help halt the loss of biodiversity and contribute to sustainable development.
64. Section 40 of the Natural Environment and Rural Communities (NERC) Act (2006) places a duty on public authorities to have regard for the purpose of conserving biodiversity. PAS 2010 aims to reduce the Page 15 of 24 varied applications of this obligation, ensuring that all parties have a clearer understanding of information required at the planning stage. Section 41 of the NERC Act (2006) identifies habitats and species which are of principal importance for the conservation of biodiversity in England. There are 56 habitats and 943 Species of Principal Importance in England (SPIE), and most of the UK's protected species are listed under Section 41. Whilst the possible presence of a protected species is accompanied by legal obligations and will remain the first consideration of planning departments, the total biodiversity value of a site must now be considered.

65. A preliminary ecological assessment has been submitted as part of the application submission, which was prepared by ACJ Ecology and is dated January 2025. The report found that the site has negligible potential for roosting bats or other protected species and there is no reason for the Local Planning Authority to conclude otherwise. The development is therefore in accordance with Policy DM27 of the Development Management Plan and the NPPF.

#### Off Site Ecology

66. The application site also 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.
67. 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 and 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

68. As the answer is no, it is advised that a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the above European sites from recreational disturbances, when considered 'in combination' with other development. Natural England does not need to be consulted on this Appropriate Assessment.
69. As competent authority, the local planning authority concludes that the proposal is within the scope of the Essex Coast RAMS as it falls within the 'zone of influence' for likely impacts and is a relevant residential development type. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated sites through increased recreational pressure, when considered either alone or in combination. It is considered that mitigation would, in the form of a financial contribution, be necessary in this case. The required financial contribution has been paid to the Local Planning Authority.

#### Biodiversity Net Gain

70. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. A minimum 10 percent BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) subject to some exceptions.
71. The application form states that the applicant does not believe that the development should be subject to biodiversity net gain as the development is a self-build development. A condition should follow any permission in respect of this.

#### Other Matters

72. Concerns have raised that if the application is approved it will lead to a loss of a view and devaluation of property. Government Guidance on what can constitute a material planning consideration is very wide and so the Courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of view could not be material considerations. Consequently, in light of the above, issues to do with the loss of a view and devaluation of a property are not considered to be material planning considerations.

73. Other concerns raised are that if the application is approved that during the construction phase there will be significant disruption due to builder's vans, equipment, noise and mess. Again, the case officer notes the concerns of the objector and appreciates that it is not uncommon for such problems to occur during the construction phase although these tend to be for a limited period of time and are therefore not considered sufficient grounds for refusal of a planning application. Furthermore, if vehicles are causing an obstruction, for example blocking people's drives, this is a matter which can be dealt with by the Police who have the appropriate legislation and powers to free the access, the planning system is not here to duplicate other legislation.
74. In addition to the above, objectors have inferred that it may not be legally permissible to build on the aforementioned site. Concern also at possible encroachment onto neighbouring property. Nevertheless, even if the application site is subject to restrictive covenants, easements and/or wayleaves, issues revolving around private property rights and obligations, such as those found within restrictive covenants, easements and wayleaves etc. are not considered material planning considerations. This is for numerous reasons, which includes under the Town and Country Planning Act 1990 s.70(2) and the Planning and Compulsory Purchase Act 2004 s.38 (6). These sections of the Acts forward the notion of 'material considerations'. Private rights under covenants, etc., are not within those words. Additionally, the interests of society and the public usually take priority over private rights—for example, the general presumption in favour of permitting development under the National Planning Policy Framework (NPPF), para. 11. Finally, because the regulation of private rights and obligations is governed by different rules from those regulating planning matters, outcomes are different.

#### Equalities and Diversity Implications

75. The Public Sector Equality Duty applies to the Council when it makes a decision. The duty requires us to have regard to the need:
- To eliminate unlawful discrimination, harassment, and victimisation.
  - To advance equality of opportunity between people who share a protected characteristic and those who do not.
  - To foster good relations between those who share a protected characteristic and those who do not.
76. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
77. Taking account of the nature of the proposed development and representations received, it is considered that the proposed development

would not result in any impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

## **CONCLUSION**

78. Approve.

## **CONSULTATIONS AND REPRESENTATIONS (summary of responses):**

Hawkwell Parish Council: My Council objects to this application on the grounds that it constitutes back-land development of the existing site. The proposed new access driveway is on to a narrow close and the proposed new crossover for 10 Gregory Close would result in a reduction of on-street parking, which is already very limited. Members also believe the site is important as a green-corridor for wildlife and the loss of this green space would be detrimental to the overall natural environment and bio-diversity of the site.

Essex County Council Highways Authority: No objection subject to the imposition of conditions relating to no unbound materials, cycle parking provision, residential travel information pack, new access to be provided at a width not less than 3m, prior to first occupation on-site parking and turning area to be provided, reception and storage of building materials, and standard informatives.

London Southend Airport: Our calculations show that, at the given position and height, the following planning applications will have no effect upon our operations. We therefore have no safeguarding objections. Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

Neighbour representations:

Five responses have been received from the following addresses;

Tudor Way: 3, 11, 15.  
Gregory Close: 8, 9.

And which in the main make the following comments and objections (summarized):

- The works will cause inconvenience to those living on the street;
- Questions over whether it is legal to build on the land;
- The proposal will lead to loss of natural habitat which will affect local wildlife;
- The street is a narrow cul-de-sac and additional traffic will cause road safety implications and the traffic from construction would put pressure on the highway network;



- The proposal if allow will lead to loss of natural daylight;
- The proposal would overlook the dwellings along Tudor Way and cause a loss of privacy;
- Will emergency vehicles be able to access adjoining properties;
- The application does not consider screening to the northern boundary, and dwellings to this boundary will lose their view.
- Plans seem to show encroachment of the development into my garden.

### **Relevant Development Plan Policies:**

National Planning Policy Framework (December 2024).

Rochford District Council Local Development Framework Core Strategy  
Adopted Version (December 2011) – policies CP1, ENV1, T8.

Rochford District Council Local Development Framework Development  
Management Plan (December 2014) – policies DM1, DM3, DM4, DM8, DM9,  
DM10, DM25, DM27 and DM30.

Essex Planning Officers Association Parking Guidance Part1: Parking  
Standards Design and Good Practice (September 2024) (Adopted 16th  
January 2025).

Rochford District Council Local Development Framework Supplementary  
Planning Document 2 (January 2007) – Housing Design.

The Essex Design Guide.

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 hereby approved shall be carried out in total accordance with the approved plans 120 Revision P4 (Proposed Floor Plan and Roof Plan) (as per date stated on plan November 2024), 111 Revision P2 (Proposed Elevations) (as per date stated on plan November 2024), 110 Revision P2 (Proposed Floor Plans) (as per date stated on plan November 2024), 001 Revision P1 (Location Plan) (as per date stated on plan November 2024), 130 Revision P2 (Proposed Site Plan) (as per date stated on plan 13<sup>th</sup> December 2024), 125 Revision P2 (Proposed Site Sections) (as per date stated on plan

December 2024), 123 Revision P1 (Proposed Garage Elevations, Roof Plan, Floor Plan and Proposed Gates) (as per date stated on plan December 2024), 121 Revision P2 (Proposed Elevations) (as per date stated on plan November 2024).

REASON: For the avoidance of doubt and to specify the plans to which the permission/consent relates.

3. The materials to be used shall be in strict accordance with those specified in the application unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the external appearance of the building/structure is acceptable.

4. 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.

The applicant shall implement 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.

5. Prior to first occupation of the property, the developer shall provide Electric Vehicle Infrastructure to the following specification:
  - A single Mode 3 compliant Electric Vehicle Charging Point for the property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW Fast charging or the best available given the electrical infrastructure.
  - Should the infrastructure not be available, written confirmation of such from the electrical supplier shall be submitted to this office prior to discharge.
  - Where there is insufficient infrastructure, Mode 2 compliant charging may be deemed acceptable subject to the previous being submitted. The infrastructure shall be maintained and operational in perpetuity.

REASON: To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable.

6. 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.

7. 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;
- existing and finished levels shown as contours with cross-sections if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;
- minor artifacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc);
- existing and proposed functional services above and below ground level (eg. drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc);

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.

8. Prior to any works above slab level, a Biodiversity Enhancement Layout for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for bespoke species enhancements; and
- b) locations, orientations and heights for bespoke species enhancements by appropriate maps and plans.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

9. The dwelling hereby permitted shall be constructed as a self-build dwelling within the definition of a self-build and custom build housing in the Self-build and Custom Housebuilding Act 2015. The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years following completion of construction. Prior to the first occupation of the dwelling the Council shall be notified in writing of the person(s) who will take up first occupation of the dwelling.

REASON: The development permitted was exempt from mandatory biodiversity net gain as set out in the Environment Act 2021 due to it being a self-build development. This condition is required to ensure the development is a self-build in accordance with the definition. If the development was not self-build mandatory biodiversity net gain would be required.

10. Prior to first occupation of the development and as shown in principle on the plan 24.675 Rev P2 Drawing No. 130, the new access shall be provided at a width not less than 3 metres at its junction with the highway and shall include a ramped kerb on the return angle of the turning head. The access shall be provided with an appropriate dropped kerb vehicular crossing of the footway. Final layout details to be agreed with the Highway Authority.

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

policy DM1 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance. .

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

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

12. Prior to first occupation of the development and as shown in principle on planning drawing 24.675 Rev P2 Drawing No. 130, the on-site vehicle parking and turning area (for the proposed dwelling) shall be provided with dimensions in accordance with the current parking standards. The vehicle parking areas and associated turning areas 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 in accordance with Policy DM8 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

14. 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 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

15. Notwithstanding the details shown on the approved plan/application form details of surfacing materials to be used on the driveway of 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 laying of the hard surfaces to form the driveway. 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.

16. The proposal shall be carried out in strict accordance with the mitigation measures and details outlined within the Preliminary Ecological Report (PEA) produced by ACJ Ecology and dated January 2025, unless first agreed in writing by the Local Planning Authority.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

17. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B and/or Class C, of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) dormers shall be inserted, or otherwise erected, within the roof area (including roof void) on any roof slope of the dwelling hereby permitted.

REASON: To enable the Local Planning Authority to retain adequate control over the approved fenestration, in the interests of privacy between adjoining occupiers.

The local Ward Members for the above application are Cllr. N. Booth, Cllr. Ian Wilson and Cllr. Mrs. J. R. Gooding.