



PLANNING APPLICATIONS WEEKLY LIST NO. 1765
Week Ending 11th July 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 31st July 2025
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **16th July 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. 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.

Index of planning applications: -

1. Recommended Approve - 25/00369/FUL First Floor At 42 To 46 Eastwood Road Rayleigh PAGES 2-3
2. Recommended Approve – 25/00338/FUL 38A West Street Rochford PAGES 4-13

Application No :	25/00369/FUL Zoning: Town centre
Case Officer	Mr John Harrison
Parish :	Rayleigh Town Council
Ward :	Wheatley
Location :	First Floor At 42 To 46 Eastwood Road Rayleigh
Proposal :	Retrospective application for conversion of first floor into a small house in multiple occupation (up to 6 people).

SITE AND PROPOSAL

1. The application relates to a property to the south-west of the junction of Eastwood Road and Daws Heath Road. The property adjacent to Daws Heath Road is a shop with a single-width frontage. This application relates to the shop adjacent to this which has a double-width frontage and is currently occupied by a “Nisa” grocer’s shop. Adjacent to this on the other side is what was originally a pair of semi-detached houses now converted to the Rainbow children’s nursery. The shop has a large forecourt, an average of approximately 14 metres deep. This section of Eastwood Road is commercial in character with shops and related uses, some with residential accommodation above. There is also a modern flat development of up to four storeys almost directly opposite and there are residential properties in Daws Heath Road.
2. This application relates to the first floor of the “Nisa” shop, the proposal being to turn it into a “house” in multiple occupation. The application is retrospective, but it is understood the previous use was as part of the furniture shop which operated on the ground floor. It is assumed planning permission 20/00560/FUL has not been implemented.
3. Access to the first floor is through a gate alongside the shop which leads to the rear yard area and via an external staircase at the rear. The layout shows four bedrooms of 13.89, 10.37, 17.60 and 13.52 sq. metres. There is a kitchen/dining room of 14.75 sq. metres, a storage room of 9.04 sq. metres and two shower-rooms/toilets. The proposal does not involve any external alterations.

RELEVANT PLANNING HISTORY

Application No. 88/00362/COU - change of use of part of premises to sale and display of kitchen bedroom fittings store and living accommodation – Approved.

Application No. 90/00288/FUL - New shopfront, change of use of part first floor to beauty salon, part ground floor to A1 retail and forecourt parking – Approved.

Application No. 06/00056/COU - Change of Use of Retail Shop to Restaurant (Class A3) Opening Times: 12 Noon to 2.00pm Monday to Sunday. 5.30pm to 10.30pm Monday to Thursday 5.30pm to 11.00pm Friday and Saturday. Creation of Self Contained First Floor Flat – Approved.

Application No. 13/00252/FUL - Change of Use of 42-46 Eastwood Road to Day Care Nursery with Single Storey Infill Extension and First Floor Covered Walkway Extension Between no 40 and no 42 – Refused.

Application No. 13/00650/FUL - Change of Use of 42-46 Eastwood Road to Day Care Nursery with Single Storey Infill Extension And First Floor Covered Walkway Extension Between nos. 40 and no 42 – Approved.

Application No. 16/00618/COU - Change of Use from A1 (Shop) to A3/A4 Fine dining and drinking establishment – Refused.

Application No. 17/01221/FUL - Change use from shop (A1) to restaurant (A3) and creation of self-contained first floor flat and changes to rear elevation – Refused.

Application No. 19/00919/FUL - Proposed First Floor Extension and Change of Use of Building from A1 (Retail) to 4 No. Apartments – Refused.

Application No. 20/00095/DPDPIA - Application for prior approval for conversion of premises to 2 no residential dwelling - Prior Approval Refused.

Application No. 20/00560/FUL - Conversion of First Floor into Two Apartments – granted.

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).
6. The main issues to be assessed in relation to this application are highways and parking issues and whether the use would have a

detrimental impact on amenity enjoyed by occupiers of nearby residential properties.

Parking

7. The property is close to the centre of Rayleigh with its public transport links. This is an area of high connectivity. In such a location the Essex Parking Standards specify for houses in multiple occupation with between three and six residents a maximum provision of “one space per bedroom dependant on location and dwelling type”. As originally submitted, the planning application did not include the forecourt area within the site boundary and the County Surveyor did not object to the application on parking grounds, although no parking provision was shown. If members are minded to grant this application, they could impose a condition requiring this forecourt to be kept available for parking for the ground floor shop and the first-floor HMO units. On balance, given this is a relatively central location, it is not considered this is appropriate as it may encourage car use, especially as the County Surveyor did not request parking provision. The permission for 20/00560/FUL did include a condition requiring parking provision on the shop forecourt, but this was an approval for self-contained accommodation which was more likely to be occupied by people having access to a vehicle.
8. Cycle parking also needs to be considered. The standard for this is one space per bedroom and the submitted plans do show a location for this in the rear garden. A condition requiring its provision is recommended. Because this is a retrospective application the condition must be specially worded.
9. It will also be appropriate to impose a condition relating to travel packs as recommended by the County Surveyor. Again, this requires special wording as the application is retrospective. To simplify matters, the requirements for cycle parking and travel pack provision have been amalgamated into one condition.

Impact on Residential Amenity

10. Multiple occupation can be a short-term form of occupancy and potentially residents may not feel the need to act in neighbourly ways as they will not be there long-term. This can become a particular problem when a high proportion of properties in an area are in multiple occupation. No objections to the application have been received from local residents which suggests this is not an issue an given that the use has been in existence, though had objections been received it might have been difficult to justify a refusal as this could be the consequence of one or two residents' behaviour, not a systemic problem resulting from the use. This is not an area where there is likely to be a concentration of multiple occupation as generally any such use is likely

to be confined to the upper floors of commercial properties. Thus, a refusal for this reason would not be justifiable.

Other Issues

11. The appropriate £169.45 payment under the Essex Coast Recreational Disturbance and Mitigation Strategy (RAMS) has been paid. As this is an application for a change of use only, the proposal is exempt from the provisions for 10% biodiversity net gain under the Environment Act 2021.
12. For new self-contained dwellings, under the provisions of policy DM4 of the Council's Development Management Plan, their floorspace provision is assessed against the government's Technical housing standards. Also, for self-contained dwellings, minimum garden areas are set out in the Supplementary Planning Document 2. There are no such provisions for multiple occupation properties. The property does have a large rear garden of approximately 380 sq. metres which is a generous provision.

EQUALITIES AND DIVERSITY IMPLICATIONS

13. 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.
14. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
15. 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

16. It is recommended that the application be granted subject to a condition relating to cycle parking and travel pack provision.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: No comments received.

Essex County Council Highways:

The local highway network is protected by parking restrictions. In transport terms, the site is considered to be in a sustainable location close to all of Rayleigh's Town Centre's facilities including frequent and extensive public transport that are all within walkable distance. Therefore: From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. Prior to first occupation, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times. Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.
2. 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 new residential unit created in the HMO, 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.

Rochford District Council Housing Allocations and Enabling Officer: We do not have any comment on this application as it does not fall within the affordable housing levels.

Relevant Development Plan Policies:

National Planning Policy Framework 2024 (as amended).

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

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

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

RECOMMENDATION: APPROVE

Condition:

1. The use hereby permitted shall cease within three years of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - (i) Within 3 months of the date of this decision a scheme with details for the provision of four covered cycle spaces broadly in the location shown on the approved plans and details of a Residential Travel Information Pack for sustainable transport, to include six one day travel vouchers for use with the relevant local public transport operator shall have been submitted for the approval of the local planning authority and the submission shall include a timetable for its implementation of the cycle parking scheme and for the provision of the travel pack to the occupiers of the four units in the property.
 - (ii) If within 11 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - (iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
 - (iv) The approved cycle parking scheme shall have been carried out and completed and the travel packs distributed in accordance with the approved timetable.

Upon implementation of the approved cycle parking scheme specified in this condition, that scheme shall thereafter be retained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

REASON: To minimise car use in the interests of sustainability.

The local Ward Members for the above application are Cllr. R. C. Linden, Cllr. Mike Sutton and Cllr. A. G. Cross.

Application No:	25/00338/FUL Zoning: Town Centre, Conservation Area .
Case Officer	Mr Harry Goodrich
Parish:	Rochford Parish Council
Ward:	Roche South
Location:	38A West Street Rochford Essex
Proposal:	Replacement windows at first floor level on front elevation.

SITE AND PROPOSAL

1. The proposed development includes the replacement of windows on the first floor of the frontal elevation.
2. The current building is occupied by the Bank Hub and forms part of a commercial street within the Rochford Town Centre zone.

RELEVANT PLANNING HISTORY

3. Application No. 10/00508/FUL - Remove Existing Pebble Dash and Replace with Smooth Render, Replace Existing Metal Windows with Timber Sliding Sash Windows, Repair and Extend Existing Parapet Wall. – Refused.

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).
6. Paragraph 212 of the National Planning Policy Framework (2024) (as amended) (NPPF) states that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

7. Paragraph 213 of the NPPF explains that any harm to, or loss of, the significance of designated heritage assets (from alteration or destruction, or from development within its setting, should require clear and convincing justification.
8. Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
9. Paragraph 203 of the NPPF states that: ‘plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
 - (a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
 - (b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - (c) the desirability of new development making a positive contribution to local character and distinctiveness; and
 - (d) opportunities to draw on the contribution made by the historic environment to the character of a place.’

Design

10. The main thrust of National Planning Policy and Local Policy is to achieve a high standard of design, respect the pattern, character and form of the surrounding environment, whilst not adversely affecting the street scene by reason of scale, height, proportions or materials used.
11. Guidance advocated within the NPPF places greater emphasis upon Local Planning Authorities to deliver good designs and not accept proposals that fail to provide opportunities to improve the character and quality of an area. It specifically states that “*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design*” (para 139).
12. Building upon this is Policy CP1 of the Rochford District Council Core Strategy (2011) that promotes high quality design, which has regard to the character of the local area. Design is expected to enhance the local identity of an area. Furthermore, this point is expanded in Policy DM1 of the Development Management Plan (2014), which states that “*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". Both policies DM1 and CP1 advise that proposals should have regard to the detailed advice and guidance in Supplementary Planning Document 2 (SPD2).

13. 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.
14. The issue is therefore whether this proposal is appropriate in terms of scale, height, position, materials and relationship with the surrounding area.
15. The building affected by this application is located within the Rochford Conservation Area and near numerous Listed Buildings along West Street. The building is currently considered in the Conservation Area appraisal to positively contribute to the significance of the Conservation Area. The building itself is considered locally listed and as such is afforded protections some additional protections, particularly against its loss.
16. Surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible. Historic windows also greatly contribute to the significance of listed buildings and the Conservation Area. Guidance upon the repair of and potential for replacement has been published by Historic England, Traditional Windows: their care, repair and upgrading.
17. The windows in this instance have been assessed by the Essex County Council specialist Heritage Advisor and it is agreed that these are beyond repair. The proposed works are therefore considered to result in no harm to the locally designated heritage asset and as such their suitable replacement has been considered as appropriate.

Impact on Residential Amenity

18. The proposed development by virtue of its limited scope will not result in any increased impact on residential amenity. This is given the sites location within the Town Centre, as well as the proposal being for replacement windows and not for the introduction of any new openings for windows. The proposed development is therefore considered acceptable in this regard.

EQUALITIES AND DIVERSITY IMPLICATIONS

19. 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.

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

21. Taking account of the nature of the proposed development and representations received, it 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

22. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: No Comments Received.

Essex County Council Historic Building Advisor: No Objection subject to condition.

Neighbour representations:

One reply received from the following address:

West Street: 38A.

And which in the main makes the following representations in support:

- I am the tenant at 38A West Street and I can confirm that the windows are in desperate need of replacement.
- The metal frames have rusted and eroded, the glass panels have cracks throughout, they are not safe at all and I am always hesitant to open them in case as they really are not sturdy.
- During the summer it is a huge struggle as this flat is a heat trap but we cannot have the windows open to let air in due to them being a safety risk for my 2 young children (2 years old and 3 years old), that being said in the winter the windows cause even more issues as the flat is freezing due to the breeze that comes in through the cracks and broken frames, because of this we get horrific mould on the walls below

the windows which results in the carpet also becoming wet and left with a smell.

- My daughter (2) was in and out of hospital at a young age due to having bronchiolitis as a baby, therefore the mould and damp is awful for her and she becomes poorly every winter because of this.
- The other and last issue with these windows is the lack of sound barrier, because of where we are located, we get a lot of heavy passing traffic and these windows don't block any sound what so ever. We can hear everything day and night, often resulting in the children being woken in the night. So I am well and truly, requesting that the windows please be changed immediately.

Relevant Development Plan Policies:

National Planning Policy Framework 2024 (as amended).

Core Strategy Adopted Version (December 2011) – Policy CP1.

Development Management Plan (December 2014) – Policy DM1.

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 (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 approved shall be carried out in total accordance with the approved drawings labelled LOCATION PLAN, 183-S3-E100, 183-S3-P100 (Rev A).

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

- 3) Details of the proposed new windows, including glazing specification and glazing bar thickness, shown by section and elevation at appropriate scales (between 1:20 and 1:1), shall be submitted to and approved in writing by the local planning authority prior to their first installation or construction on site. The works shall be carried out in accordance with the details as may be approved and shall be permanently maintained as such.

REASON: In the interests of preserving the locally listed heritage asset.

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