



PLANNING APPLICATIONS WEEKLY LIST NO. 1775
Week Ending 19th September 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 30th October 2025.
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **24th September 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.

Glossary of suffix's:-

Outline application (OUT), Full planning permission (FUL), Approval of Reserved Matters (REM), S106 legal obligation modification (OBL), Planning in Principle (PRINCI), Advertisement Consent (ADV), Listed Building Consent (LBC).

Index of planning applications: -

- 1. Recommended Approve - 25/00448/FUL Land Adjacent 186 Down Hall Road Rayleigh PAGES 2-29
- 2. Recommend Refuse – 25/00591/FUL Land Adj 45A Mortimer Road Rayleigh PAGES 29-54

Application No :	25/00448/FUL Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Rayleigh Town Council
Ward :	Downhall And Rawreth
Location :	Land Adjacent 186 Down Hall Road Rayleigh
Proposal :	Proposed 4 Bedroom dwelling and provision of additional new vehicular access off Down Hall Road to serve 186 Down Hall Road

SITE AND PROPOSAL

1. The application site is situated on the eastern side of Down Hall Road, within the established settlement boundary of Rayleigh, in the administrative area of Rochford District. The surrounding locality is residential in character, exhibiting a varied and incrementally developed streetscape.
2. The built form in the vicinity comprises a broad range of residential typologies, including single-storey bungalows, chalet-style dwellings, one-and-a-half storey properties, and both detached and semi-detached two-storey houses. The architectural composition of the area is notably diverse, with properties incorporating features such as projecting gables, and dormer windows set beneath both pitched and flat roofed forms. The resultant roofscape is irregular and visually varied, characterised by a combination of hipped and gabled roof structures.
3. The palette of materials evident within the surrounding built environment is equally eclectic, comprising rendered finishes, facing brickwork in a variety of colours and textures, and elements of cladding, all typically completed with concrete tiled roofs. This mixture of forms, styles, and materials contributes to a heterogeneous yet coherent residential character.
4. The application site itself forms part of the curtilage of No. 186 Down Hall Road, a two-storey detached residential dwelling. Full planning permission is sought for the erection of a detached two storey dwellinghouse. The proposed development will require the subdivision of the plot, and the proposed development will be constructed in the side garden of this property (No.186). The site comprises a relatively level and regularly shaped parcel of land situated to the side (south) of the host dwelling. The front elevation of the proposed dwellinghouse will face Down Hall Road, with access directly off. According to the submitted plans the private amenity space severing the proposal will be situated towards the rear.

RELEVANT PLANNING HISTORY

5. Application No. 25/00003/FUL - Proposed 4-bedroom dwelling and provision of additional new vehicular access off Down Hall Road to serve no. 186 Down Hall Road – Refused – 21st May 2025. Reason for refusal:

“The proposed development by reason of the constrained plot width and configuration of the application site, would result in a cramped and congested form of development that fails to provide adequate visual or spatial relief between buildings. The limited separation distances between the proposed dwelling to the plot boundaries (approximately 300mm and 900mm) and the contrived layout of the site frontage, including the restricted space for parking and landscaping, would lead to an overdeveloped appearance that would be unsympathetic to the prevailing pattern of development along this part of Down Hall Road.

The proposal would fail to contribute positively to the local context or respect the established character of the area, contrary to part (x) to Policy DM1 of the Council’s Development Management Plan, which seeks to ensure that development is well-integrated and reflects local character and distinctiveness. Furthermore, the proposal is inconsistent with the design principles set out in the National Planning Policy Framework (NPPF) which requires developments to be sympathetic to local character, visually attractive, and functional over the long term.

As such, the development would represent an inappropriate and poor-quality design response that detracts from the character and appearance of the area, failing to fit in with the layout of the site surroundings and failing to help raise the standard of design in the area contrary to paragraph 139 b) to the National Planning Policy Framework”.

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).

Principle of Development

8. The National Planning Policy Framework (NPPF) was revised in December 2024 (and amended in February 2025) 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.
9. 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.
10. 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.
11. 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 9.25m for detached houses or 15.25m 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 1m between habitable rooms and plot boundaries.

12. Policy CP1 of the Core Strategy and Policy DM1 of the Council's Development Management Plan both seek to promote high quality design in new developments that would promote the character of the locality and enhance the local identity of the area. Policy DM3 of the Development Management Plan seeks demonstration that infill development positively addresses existing street patterns and density of locality and whether the number and types of dwellings are appropriate to the locality.
13. The application site is located wholly within the settlement boundary of Rayleigh. Therefore, given that the application relates to a site within the built up settlement, the broad principle of development is acceptable.

Housing Land Supply

14. 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.
15. The proposal proposes the severance of a portion of the applicants curtilage for the construction of a detached two-storey dwelling. The Council's recent Annual Monitoring Review 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 to the existing shortfall, which is an important material planning consideration that cannot lightly be put aside.

Design

16. Good design is promoted by the National Planning Policy Framework (NPPF) as an essential element of sustainable development. It advises

that planning permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area.

17. Policy CP1 of the Rochford District Council Core Strategy (2011) 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. This point is expanded in 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 in Supplementary Planning Document 2 (SPD2).
18. 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.
19. Paragraph 67 of the National Design Guide stipulates that well-designed places use the right mix of building types, forms and scale of buildings for the context to create a coherent form of development that people enjoy. Built form defines a pattern of streets and development blocks and will be dependent on (amongst other considerations) the height of buildings and the consistency of their building line in relation to the street itself. Paragraph 68 states that the built form of well-designed places relates well to the site, its context and the proposed identity and character for the development in the wider place.
20. Furthermore, The National Model Design Code (B.2.iii) discusses that building heights influence the quality of a place in terms of its identity and the environment for occupiers and users. The identity of an area type may be influenced by building heights, including in terms of its overall scale.
21. The surrounding area is characterised by a variety of housing types which include bungalows, chalet type bungalows, 1.5 storey high detached dwellinghouses and two-storey detached and semi-detached properties, some of which incorporate projecting gables, flat roofed and/or pitched roofed dormer windows. Furthermore, the roofscape is heterogenous with a mix of hips and gables. A rich palette of materials has been used to construct these neighbouring properties including render, facing brick (of various colours and textures), cladding and concrete tile roofs.

22. The issue is therefore whether this proposal is appropriate in terms of scale, height, position, materials and relationship with the surrounding area.
23. The applicant has submitted the current proposal in order to overcome the previous reason for refusal. The footprint of the proposed dwellinghouse is roughly elongated rectilinear in shape with a projecting gable element on the front elevation and a two-storey outrigger on the rear elevation. The proposed dwellinghouse will measure approximately 12.6m deep by 6m wide (measured at the widest points) and would be 5.1m high to the eaves and 7.8m high to the apex (ridge) of the roof. The proposed dwellinghouse would be constructed out of a simple palette of materials utilising facing brick and render under a concrete interlocking tile roof.
24. According to the submitted plans and supporting Design and Access Statement the site frontage of the proposed development measures approximately 12m in width (it is considered that this distance is contrived to try and circumvent the policy contained within the SPD), as within a distance of less than 2m (from the frontage) the plot narrows down to 8.5m in width. In order to comply with para 5.2 of the SPD2: Housing Design the frontage for the proposed development should ordinarily be a minimum of 9.25m. Consequently, there is a slight shortfall of approximately 750mm. However, whilst the proposal does not strictly accord with para 5.2 this is cited as a guide rather than an explicit policy provision. Moreover, the case officer noted that other properties in the immediate locality had a similar frontage, for example, No.159 had a frontage measuring approximately 9.02m; whilst No.178 had a frontage measuring 7.7m. Furthermore, No. 147 had a frontage measuring 8.25m. Therefore, the case officer is of the opinion that the layout of the proposal will be commensurate and broadly consistent with other properties in the immediate locality and as such there is insufficient justification to warrant a refusal and substantiate it at any future Appeal.
25. This revised application has reduced the proposed building width by 0.5m. Furthermore, according to the submitted plans the proposed development would be located approximately 1m off the common boundary shared with No. 184A Down Hall Road. This passageway traverses the entire flank elevation of the proposed dwellinghouse, which allows for easy access to the private amenity space located to the rear. Whilst on the opposing boundary, the proposal is sited approximately 2.1m off the common boundary shared with No. 186 Down Hall Road. The proposed layout would now satisfy the Council's minimum requirements for a sidespace of 1metre to plot boundaries overcoming the previous objection.

26. The proposed development along Down Hall Road is carefully designed to integrate with the existing spatial characteristics and urban form of the surrounding area. The building line in this section of Down Hall Road is notably staggered and unregimented, with individual properties varying in their positioning relative to the street. Despite this, the proposed dwelling aligns approximately with the front elevations of the adjacent properties at numbers 186 and 184A, ensuring that the proposal maintains visual coherence within the street scene. The dwelling is set back approximately 10m from the front boundary of the site, providing a buffer zone that accommodates an area of hardstanding, for parking, without resulting in a cramped or overdeveloped appearance. The proposed layout would ensure that the new dwelling sits comfortably within its plot, offering sufficient plot width to avoid an overly dense or confined feel. Furthermore, the development contributes to an active street frontage, with the dwelling directly facing Down Hall Road, which supports the creation of a more engaging public realm. In terms of massing, density, and architectural form, the proposed development is consistent with the prevailing character of the locality, ensuring it aligns with the principles set out in Policy H1 of the Core Strategy, which promotes residential developments that respect the local context and can be comfortably accommodated within the site's constraints. The proposal demonstrates that the quantum of development is appropriately scaled for the site, thereby adhering to both the quantitative and qualitative aspects of local planning policy.
27. As previously stated, the application site is part of the side garden of No.186 Down Hall Road, which is currently undeveloped and does not contain any built structures. The proposal involves severing this plot of land to accommodate the new dwellinghouse. The site is flanked by a two-storey detached property to the south, No.184A, and a detached dormer bungalow to the north, No.186, which is also the applicant's dwellinghouse. The surrounding street scene is characterized by a mix of semi-detached and detached bungalows, as well as two-storey properties, contributing to a varied yet cohesive residential environment.
28. According to plan reference No.204 Revision P03, the adjacent property No.184A has a maximum ridge height of 8m, while No.186 has a ridge height of 7.8m. The proposed dwellinghouse is designed with a maximum ridge height of roughly 7.8m, meaning it will be of a similar scale to the adjacent properties. This is a crucial aspect when considering the visual impact of the new development on the surrounding area. The relatively uniform height between the proposed dwelling and the existing properties helps to ensure that the new dwelling will not disrupt the established street scene, as the ridge heights are consistent with those of neighbouring buildings. Furthermore, this comparable height contributes to a sense of continuity in the area, reducing the risk of the new development appearing incongruous or out of character with its surroundings.

29. The case officer's analysis takes into account not just the ridge height but the overall architectural context of the area. The surrounding mix of bungalows and two-storey houses indicates a degree of flexibility in terms of building heights, with no dominant architectural style or uniformity in ridge heights across the streetscape. This diversity in building forms and heights suggests that the introduction of a new dwellinghouse with a ridge height similar to its neighbours will not appear intrusive or disproportionate within the streetscape. Additionally, the positioning of the proposed dwelling on the severed plot is critical in ensuring that it complements the established rhythm of spacing and massing in the area.
30. In conclusion, the case officer is of the opinion that the proposed dwellinghouse, with its ridge height of some 7.8m, will not appear overly dominant or out of place within the existing streetscene. The careful consideration of the ridge heights, as well as the mix of building types in the area, suggests that the proposal will blend relatively seamlessly into its context. The officer's assessment indicates that the development is unlikely to have a significant adverse impact on the character of the area, as the height and scale of the new dwelling are consistent with the surrounding properties, ensuring it does not create an incongruity within the streetscape.
31. The overall design of the proposed dwellinghouse adopts a modern and contemporary approach, featuring a combination of white render and facing brickwork, with the latter approximately 1m high. The front elevation includes a projecting gable element, which serves to break up the scale and massing of the building, adding visual interest and reducing any sense of bulk. The roof of the main dwelling is hipped, further contributing to the reduction in scale and massing, helping the property to fit more comfortably within the surrounding built environment.
32. The street scene in the area is diverse in terms of architectural style and materials, meaning that the choice of materials for the proposed dwelling—such as the rendered finish and brickwork—will not appear alien or out of place within the context of the existing properties. The proposed dwelling incorporates a variety of window apertures, which serve to break up the mass and bulk of the building, making it visually more appealing and less monotonous. On the front elevation, the fenestration is carefully arranged to create both vertical and horizontal emphasis, contributing to a balanced and harmonious facade.
33. On the south facing side aspect will feature 3No. windows. There will be 1No. window at ground floor level which will serve a w.c. and 2No. remaining windows will be located at first floor level and serve a bathroom and en-suite. This thoughtful arrangement of windows helps to reduce the dominance of the render and ensures that the building would not appear too plain or stark. Whilst on the opposing flank

elevation there will be 1No. window in the side return of the two storey outrigger at ground floor level serving the lounge and one first floor window serving the landing and both facing No.184a. No other apertures are proposed on this elevation. The first floor windows above the fence line can be obscure glazed by condition to the grant of permission.

34. The rear elevation of the property continues the theme of balanced fenestration, with a strong emphasis on both vertical and horizontal window placements. This attention to detail in the design of the windows throughout the building serves to further break up the mass of the structure and enhance its visual appeal, ensuring that the dwelling is both attractive and in keeping with the character of the area. Overall, the design of the dwellinghouse has been carefully considered to ensure that it integrates seamlessly into the streetscape, balancing modern aesthetics with the surrounding architectural context.
35. The internal accommodation of the proposed dwellinghouse at ground floor level will comprise 3No.stores (one is situated under the stairs), w.c., hall, open plan kitchen family room and a formal lounge. Whilst the first-floor accommodation will comprise 4No. bedrooms (the master being en-suite) and a family bathroom.
36. In conclusion, it is considered that the proposal would not detract from the identifiable character of the locality and its sense of place. Furthermore, the scale and mass of the proposal would respect the scale, rhythm and urban grain of the neighbouring properties and is in accordance with guidance advocated within the NPPF, Policy DM1 and DM3 of the Development Management Plan and Policy CP1 of the Core Strategy.

Impact on Residential Amenity

37. Paragraph 135 (f) of the NPPF 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 the Council's 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.
38. Amenity is defined as a set of conditions that one ought reasonably expect to enjoy on an everyday basis. When considering any development the 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.

39. It has been accepted that the development of the site for housing is unlikely to result in noise, air or water pollution. A principal consideration in determining this application is its effect upon the residential amenity of adjacent properties.
40. Para 7.1 of the Councils SPD2 (Housing) states the relationship between new dwellings and existing dwellings in the case of infill developments is considered to be of particular importance to the maintenance of the appearance and character of residential areas. Policy DM1 inter alia states proposals should avoid overlooking, ensuring privacy and promoting visual amenity; and form a positive relationship with existing and nearby buildings.
41. The application site is flanked by two neighbouring properties. The application site is adjoined by No. 184A Down Hall Road to the south and No. 186 Down Hall Road to the north. Directly to the front of the application site are Nos. 155 and 157 Down Hall Road. The subject site backs onto No. 20 Hambro Avenue.
42. Situated on the opposing side of Down Hall Road from the subject site are Nos. 155 and 157. It was observed that the front elevations of these properties face Down Hall Road. According to the submitted site plan there is a distance in excess of 25m separating these properties from the subject site (as measured from front elevation to the opposing front elevation). It is acknowledged that the front elevations of these properties and the proposed dwellinghouse will directly overlook the public realm. In light of aforementioned factors, in the opinion of the case officer, due to the articulated design of the proposed dwelling and intervening separation distances, the scale and nature of the proposal, it is considered that the proposal will have an acceptable impact on the residential amenities of the occupiers of Nos. 155 and 157 Down Hall Road.
43. Located to the rear of the proposed dwellinghouse is No.20 Hambro Avenue. According to Paragraph 1.92 of the Essex Design Guide (2018), a separation distance of 25m should be maintained between the rear elevations of neighbouring dwellings where habitable rooms are located. The case officer has measured the interface distance between the rear elevation of the proposed dwellinghouse and the rear elevation of No.20 Hambro Avenue, and this distance exceeds 28m, comfortably surpassing the recommended minimum. As a result, the proposal is considered to comply with the guidance regarding separation distances.
44. Given this substantial separation, the case officer concludes that the proposal is unlikely to result in any significant overshadowing or, due to the positioning of the properties, appear overbearing to the occupants

of No.20 Hambro Avenue. The increased distance between the rear elevations reduces the potential for any adverse impact on the residential amenities of the neighbouring property, such as a loss of privacy or light. While the case officer acknowledges that there may be a marginal impact, it is deemed minimal and not significant enough to justify a refusal of the application. Therefore, the proposal is considered to have an acceptable impact on the residential amenities of the occupiers of No.20 Hambro Avenue.

45. Generally, side windows in residential areas are often overshadowed due to the close proximity of neighbouring properties. However, during the site visit, the case officer observed that there was a window on the flank elevation of the neighbouring property, No.184A Down Hall Road, at first floor level and another window at ground floor level. The first-floor window appeared to serve a bathroom, as it was obscurely glazed. The case officer could not ascertain what the room the ground floor aperture serviced. The case officer noted that no other apertures were present on the flank elevation of this property.
46. According to the submitted plans, the proposed dwellinghouse will feature 1 aperture in the side return of the proposed two storey rear outrigger facing No.184A. This window is a secondary window serving the proposed family room. The proposed outrigger is shown to be situated approximately 3m from the shared boundary with No.184A. No other apertures are proposed on this elevation.
47. The case officer has assessed the impact of the proposed development on the neighbouring property, particularly in relation to the Council's 45-degree guidance, which helps to ensure that the development does not unduly affect light or create a sense of enclosure. Based on the design of the proposal and the spacing, the case officer notes that the development will not breach the 45-degree guidance, suggesting that there will be no significant loss of light or overshadowing. Furthermore, the articulated design of the property, including the orientation and placement of windows, is such that it will not have a notable impact on the private amenity space of No.184A.
48. In light of these factors, the case officer believes the proposed dwellinghouse will not have a significantly overbearing impact or result in a significant loss of privacy for the occupants of No.184A. However, to address any potential concerns regarding privacy or overlooking, the officer considers it prudent to attach a condition relating to the boundary treatment. This would help mitigate any negative impacts from the apertures, particularly the window serving the family room and to ameliorate any concerns relating to the ground floor aperture on the flank elevation of 184A. Overall, the case officer concludes that the proposed development will not cause significant issues with regard to loss of light, privacy, or overbearing impact on the neighbouring occupiers at No.184A Down Hall Road.

49. Turning to the potential impact of the proposed development on the adjacent property, No.186 Down Hall Road, the case officer has carefully considered several factors related to privacy, light, and overbearing impact. According to the submitted plans, the proposal does not breach the Council's 45-degree guidance in relation to No.186, which is a crucial assessment tool used to evaluate whether a development would result in significant overshadowing or an overly dominant presence. The 45-degree guidance ensures that there is sufficient separation between properties to avoid blocking light to habitable rooms and to prevent a development from feeling intrusive. In this case, the proposal complies with this guidance, suggesting that the development will not cause significant loss of light to the neighbouring property.
50. Notwithstanding the above, during the site visit, the case officer observed that there are several apertures on the flank elevation of No.186 facing the application site. At ground floor level, there is a secondary window serving a sitting room and a personnel door leading to a utility room. These openings are not primary windows for habitable spaces, so they are less sensitive to any potential loss of privacy or light. However, at first floor level, there are two large apertures that appear to serve a bedroom. The case officer notes that the primary window for this bedroom is located on the rear-facing elevation of No.186, which will remain unaffected by the proposal, ensuring that the bedroom continues to receive adequate light and ventilation.
51. A key concern in assessing the impact of the proposed dwellinghouse is the proximity of the two properties, with a distance of approximately 2.1m separating the flank elevation of No.186 from the flank elevation of the proposed dwellinghouse, as shown on plan reference 203 Revision P03. The case officer noted that, although this separation is relatively small, the proposed development would feature two windows on the flank elevation facing No.186: these two apertures will be situated at first floor level. It is important to note that neither of these windows are primary windows serving habitable rooms. Specifically, the two first-floor windows will serve non-habitable rooms—one serving a bathroom and the other an en-suite. The positioning and function of these windows are significant, as non-habitable rooms are generally less sensitive to privacy concerns and are unlikely to create issues with overlooking. Furthermore, an additional window is proposed at ground floor level, which will serve a w.c.
52. Nevertheless, in response to the potential for privacy concerns, the case officer recommends attaching a condition to ensure that the windows in the flank of the proposal are obscurely glazed and fixed shut below a height of 1.7m. This would mitigate any potential overlooking of the private amenity space of No.186 and help protect the privacy of its occupants. Additionally, side windows in residential areas are often overshadowed due to the close proximity of neighbouring properties. Moreover, the case officer considers it prudent to impose a

condition relating to boundary treatment. This could involve the installation of additional screening or other measures to reduce the potential for direct views between the two properties, further enhancing privacy.

53. The primary concern raised by the case officer is the potential for an overbearing impact due to the close proximity of the proposed dwellinghouse to No.186. However, this is a finely balanced issue. While the proposed development is close to the neighbouring property, the primary window serving the bedroom at No.186 remains on the rear elevation, which is not obstructed by the proposed dwellinghouse. This ensures that the bedroom will continue to receive adequate daylight, which is a critical factor in assessing whether a development would result in an overbearing impact.
54. While the case officer acknowledges concerns regarding the proximity and the potential for some overbearing impact, it is determined that these concerns are not significant enough to justify a refusal of the application. The separation distances and the thoughtful design, including the orientation of windows and the non-habitable use of some of the proposed windows, ensure that the proposal will not result in a substantial loss of light, privacy, or create an overbearing presence. The officer also considers that the rear-facing window of No.186, which serves the bedroom, remains unobstructed, and the daylight received by this window will not be adversely affected. The windows which will be affected by the proposal are secondary windows located on the flank elevation on No.186.
55. Therefore, despite the close proximity of the proposed dwellinghouse in relation to No.186, the case officer concludes that the impact on the residential amenities of occupiers to No.186 would be minimal and that the proposal will not result in a significant loss of light, privacy, or create an overbearing impact. The officer considers that the factors cited above, including compliance with the Council's 45-degree guidance, separation distances, the careful design of the windows, and the potential for mitigating measures such as boundary treatment, are sufficient to justify the approval of the application. As such, the case officer concludes that the proposal would not result in any significant adverse impacts on the neighbouring property, and the reasons for refusal would not be substantiated at any subsequent appeal.
56. Overall, it is considered that the proposed development would not give rise to material overlooking or overshadowing of neighbouring properties, nor would it over dominate the outlook enjoyed by neighbouring occupiers given the good separation distances maintained between properties. The proposal is compliant with policies DM1 and DM3 of the Development Management Plan.

Living Conditions of Future Occupiers

Garden Size

57. The NPPF seeks that the creation of places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
58. 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 SPD2 advises a suitable garden size for each type of dwelling house. Paragraph 130 criterion (f) of the NPPF seeks the creation of places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
59. Supplementary Planning Document 2 requires a minimum 100m² garden area for all new dwellings except one and two-bedroom dwellings where a minimum private garden area of 50 m² would be required. The proposed development would provide 1 No., four bedroomed dwelling. According to the submitted layout plan (ref: 203 Revision P03) the proposal would have a private amenity of 112m², which would satisfy the outdoor amenity space requirements, as set out in SPD2.
60. Furthermore, as the plot is being severed, the existing property (No.186) would have a retained private amenity space of 170m², which is in accord with guidance advocated within the SPD.

Sustainability

61. The Ministerial Statement of the 25th March 2015 announced changes to the government's policy relating to technical housing standards. The changes sought to rationalize the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard.
62. 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.
63. 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.

64. A two storey dwelling which would comprise of four bedrooms accommodating either five or six people would require a minimum Gross Internal Floor Area (GIA) of 97m² or 106m², respectively. Additionally, the dwelling must have a minimum of 3m² of built-in storage. The standards above stipulate that single bedrooms must equate to a minimum 7.5m² internal floor space while double bedrooms must equate to a minimum of 11.5m², with the main bedroom being at least 2.75m wide and every other double room should have a width of at least 2.55m. 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. According to the submitted plans the Gross Internal Floor area of the proposed dwellings will measure approximately 110m² and exceed the minimum requirements.

65. The table below shows the Gross Internal Floor area for each of the bedrooms.

Bedroom No.1	11.5m ²
Bedroom No.2 (Master)	12.5m ²
Bedroom No.3	7.5m ²
Bedroom No.4	8m ²

66. The storage area indicated on the submitted plans amounts to approximately 3m² of storage space which is in accord with the aforementioned guidance.

67. Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently, all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. A condition would be recommended to ensure compliance with this Building Regulation requirement if the application were recommended favourably.

68. 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

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

Flooding

70. 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.

Refuse and Waste Storage

71. 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 rear garden space would provide adequate storage space whilst the drag distance is below 20m which is considered satisfactory.

Impact on Highway Safety

72. 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.

73. Essex County Council Parking Guidance (2024) requires that development provide off-street parking proportionate to its connectivity

level as defined in Appendix A of the same. The application is deemed to have 'very low' connectivity and therefore for a 4- bedroom dwelling, 2No. parking spaces are required. According to plan references 203 Revision P03 and 205 Revision P03 there will be 2No. car parking spaces located at the front of the proposed property.

74. 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.
75. The proposed site has sufficient space within the proposed curtilage to provide at least two car parking spaces for the proposed dwelling at the required dimensions as stated in the EPOA parking standard. Properties of this size would be required to provide two off street parking spaces and therefore no objections are raised regarding parking. It is noted numerous neighbouring properties have hard-surfaced their frontages in order to provide vehicular parking, a recent update to the Framework (2024) and the introduction of associated design guidance, have emphasised the use of soft landscaping ensuring that schemes are visually attractive. Therefore, it would be reasonable for the Council to impose a condition relating to soft landscaping scheme to be submitted in order to avoid the complete hard surfacing of the site frontage.
76. 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 *"This proposal includes subdivision of the site and provision of a new detached dwelling. A new vehicle access is required for the host dwelling, and off-street parking is included for each dwelling. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority"*.
77. The Highways Engineer goes on to state that they have no objections to the proposal subject to conditions relating to no unbound materials, each dwelling to have 2no. off street car parking spaces, cycle parking facilities, construction management plan, new access to be constructed at right angle to highway boundary and details of root protection measures for the adjacent tree, residential travel information pack, and standard informatives.
78. In conclusion, the Highways Authority has reviewed the submission information and concludes there would be no unacceptable impact on highway safety or a severe impact on congestion. There is no reason for the Local Planning Authority to take an alternative 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

79. Policy DM25 of the Rochford Development Management Plan 2014 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.’

80. In order to support their application the applicant has submitted an Arboricultural Impact Report (revision 1) produced by Andrew Day Arboricultural Consultancy and is dated 13th June 2025. The report reaches the following conclusions:

- The proposal can accommodate the retention of T1. The existing hard surface will be retained so there will be no direct impact on the roots in the RPA.
- Gravel will be used as the finished surface, laid on top of the existing hard surface.
- Protection fencing will be set up as shown on the tree protection plan. No mixing or storage of materials will be allowed in the RPA.
- The tree can be sufficiently protected during construction activities.

81. The case officer considered it prudent to consult the Councils arboricultural officer who stated that he had “No objections”. However, the Councils arboricultural officer goes on to state that “A tree impact assessment has been provided with the report and provides methods for tree protection during the construction phase. The method supplied should be implemented as part of the development phase, however, the tree in question is a low value walnut tree that has been previously reduced, the vigour is poor and I suspect will suffer following development regardless of protection measures. It may be prudent to add a condition that if this tree dies then it should be replaced with a heavy standard, container grown hornbeam frans Fontaine or field

maple elegant, suitable root deflectors etc. will be required to ensure the risk to adjacent hard surfacing / structures is reduced”.

82. The case officer agrees with the conclusion reached by the Councils Arboriculturist. In order to protect the tree a condition relating to tree protection measures will be attached to the decision, in the event that planning permission is approved.

On-site Ecology

83. Paragraph 180 of the NPPF indicates 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.
84. 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.
85. 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.
86. The case officer notes that no ecological appraisal has been submitted with the application. However, the site comprises maintained domestic garden featuring mown lawn including various shrubs and plants and areas of hardstanding. Consequently, given the aforementioned factors it is therefore unlikely to support protected species.

Off Site Ecology

87. 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.

88. 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 (Zol) 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

89. 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.

90. 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.

BNG

91. 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.

92. 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 applicant has not therefore been required to provide any BNG information.

93. 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

94. 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.

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

96. 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

97. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: No comments received.

Essex County Council Highways Authority: No objection subject to the imposition relating to no unbound materials, each dwelling to have 2 No. off street car parking spaces, cycle parking facilities, construction management plan, new access to be constructed at right angle to highway boundary and details of root protection measures for the adjacent tree, residential travel information pack, and standard informatives.

Rochford District Council Arboricultural Officer: No objections. A tree impact assessment has been provided with the report and provides methods for tree protection during the construction phase. The method supplied should be implemented as part of the development phase, however, the tree in question is a low value walnut tree that has been previously reduced, the vigour is poor and I suspect will suffer following development regardless of protection measures. It may be prudent to add a condition that if this tree dies then it should be replaced with a heavy standard, container grown hornbeam frans Fontaine or field maple elegant, suitable root deflectors etc. will be required to ensure the risk to adjacent hard surfacing / structures is reduced.

Neighbour representations: No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework (December 2024 revised in February 2025).

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 County Council and Essex Planning Officers Association Parking Standards: Design and Good Practice Supplementary Planning Document (adopted 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 201 Revision P05 (Proposed Floor Plans) (as per date stated on plan 6th September 2024), 202 Revision P05 (Proposed Elevations) (as per date stated on plan 6th September 2024), 100 Revision P03 (Location Plan) (as per date stated on plan 2nd September 2024), 203 Revision P03 (Site Plan and Roof Plan) (as per date stated on plan 22nd August 2024), 204 Revision P03 (Streetscene) (as per date stated on plan 6th September 2024) and 205 Revision P03 (Site Plan) (as per date stated on plan 22nd August 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 external construction of the dwelling hereby approved shall be in strict accordance with those specified in the application unless different materials are first agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the external appearance of the building/structure is in accord with the character and appearance of the street.

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 development shall be implemented 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 dwelling, 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 shall 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 (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);
- existing and proposed functional services above and below ground level (e.g. 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. No demolition, ground works or development shall take place until all trees as identified on the tree protection plan as supplied by Andrew Day Arboricultural Consultancy Revision 1 dated 7th February 2025, have been protected in accordance with the plan and method statement as provided. Prior to demolition and during the construction phase photos shall be sent to the local planning authority showing the barriers and ground protection to ensure compliance. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

REASON: To ensure the protection of trees in the locality and in the interest of visual amenity generally afforded by trees on the site.

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

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

10. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities

REASON: To ensure that the construction traffic is managed and to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

11. Prior to first beneficial use of the development and notwithstanding the dimensions on the planning drawing DRGNO 203, Rev P02. The new vehicle access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway. Full layout details including any root protection for the tree in the footway and potential relocation of the utilities to be agreed with the Highway Authority.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the highway in the interests of highway safety in accordance with policy DM1.

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

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

13. Prior to first occupation of the development and as shown in principle on the planning drawing DRGNO 203, Rev P02, the proposed dwelling

shall be provided with two off-street parking spaces. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

14. Prior to first occupation of the 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.

15. The development hereby permitted shall be carried out in full accordance with the approved Tree Impact Assessment, including all methods and measures for the protection of retained trees during the construction phase.

In the event that the walnut tree identified within the assessment (T1 as specified within the Tree Protection Plan produced by Andrew Day Arboricultural Consultancy and is dated 13th June 2025) dies, is removed, or is confirmed in writing by the Local Planning Authority to be dying or in poor condition within five years of the completion of development, it shall be replaced during the next available planting season with a heavy standard, container-grown tree of either *Carpinus betulus* 'Frans Fontaine' (Hornbeam) or *Acer campestre* 'Elegant' (Field Maple), the specification of which (including size, planting pit details, root deflectors and other measures to prevent damage to adjacent hard surfacing and structures) shall first be submitted to and approved in writing by the Local Planning Authority. The tree shall then be planted in accordance with the submitted details.

The replacement tree shall thereafter be maintained for a period of five years, during which time any failure shall require replacement with a tree of the same size and species.

REASON: To ensure the long-term retention and protection of tree cover on the site, in the interests of the visual amenity of the area and to safeguard adjacent structures and surfacing, in accordance with Policy DM25 of the Rochford Development Management Plan 2014.

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

Application No :	25/00591/FUL Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Rayleigh Town Council
Ward :	Downhall And Rawreth
Location :	Land Adjacent 45A Mortimer Road Rayleigh
Proposal :	Construct new dwelling with off-street parking and rear amenity space.

SITE AND PROPOSAL

1. The application site is located to the northern side of Mortimer Road, situated within the settlement limits of Rayleigh. The proposed application site is a 120m² (approx.) vacant plot of land situated between adjacent neighbour No.43 Mortimer Road to the west, a detached two storey dwellinghouse and No.45a Mortimer Road and No.1a Kings Farm (owned by the applicant), a pair of two storey semi-detached dwellinghouses to the east.
2. The application site depicts the plot between No.43 and No.1a Kings Farm which was sub-divided and the boundary serving Kings Farm (which originally served the rear garden) was opened up, a footpath over the verge was created and fencing erected around the verge to form a 'front curtilage' to No.1a Kings Farm.
3. The application seeks full planning permission for the construction of a new two-storey, single family dwelling.

RELEVANT PLANNING HISTORY

4. Application No. 22/00468/FUL - Proposed 2-bed dwelling with parking to front – Refused. Reasons for refusal: -

“The proposed dwelling by virtue of its layout, setting and appearance would create a building plot and dwelling which would not successfully reference the prevailing character of the area, would be out of keeping with the established pattern of development and if allowed would represent overdevelopment of the site and prove detrimental to the character and appearance of the site and the surrounding area. It is

therefore, considered to be contrary to the National Planning Policy Framework and policies DM1 and DM3 of the Council's Development Management Plan".

"The proposed development would result in accommodation that would fail to meet the minimum gross internal space standards, resulting in an inadequate form of accommodation to the future detriment of the living conditions of future occupiers, contrary to policy DM4 of the Council's Development Management Plan and the Nationally Described Space Standards".

"The proposed development would result in the removal and loss of off-street car parking space for the adjacent neighbour No.1a Kings Farm as a result of the proposed subdivision. The proposed scheme would result in increased on street parking demand causing further obstruction to the free flow of traffic which would be harmful to highway safety and the provision of on street parking detrimental to the appearance of the street. The proposal would therefore fall contrary to the Council's Supplementary Planning Document 2 (Housing Design) and Policy DM30 of the Council's Development Management Plan".

"The proposed dwelling by reason of inadequate separation distances, orientation, sitting, mass and scale would result in an unacceptable overbearing impact upon the living conditions of neighbouring occupiers. The addition in this regard would significantly detract from the outlook currently enjoyed from the habitable rooms of No.1a Kings Farm Road and No.45a Mortimer Road, as the proposed eastern side would dominate the outlook from their habitable rooms by comparison and replace a feeling of relative spaciousness with an oppressive expanse of built form contrary to guidance stipulated within the Essex Design Guide, SPD2 and Policy DM1 of the Council's Development Management Plan".

"The proposed first floor rear elevation windows by reason of minimal separation distances, orientation and siting would give rise to an unreasonable amount of overlooking, harmful to residential amenity of the occupiers of No.3 Saxon Close contrary to guidance stipulated within the Essex Design Guide, SPD2 and Policy DM1 of the Council's Development Management Plan".

5. Application No. 22/00492/FUL - Proposed two-storey front extension incorporating single storey garage, alterations to rear elevation. Change of use of grass verge to use as part of the residential garden to No. 1a Kings Farm including retention of boundary fencing and creation of new driveway parking spaces and new vehicle access onto Kings Farm – Refused - 11.08.2022.
6. Application No. 22/00608/FUL - Proposed two-storey front extension incorporating single storey garage, alterations to rear elevation. Change of use of grass verge to use as part of the residential garden to

No. 1a Kings Farm including retention of boundary fencing and creation of new driveway parking spaces and new vehicle access onto Kings Farm – Application Returned.

7. Application No. 22/00889/FUL - Proposed two-storey front extension incorporating single storey garage, alterations to rear elevation. Change of use of grass verge to use as part of the residential garden to No. 1a Kings Farm including retention of boundary fencing and creation of new driveway parking spaces and new vehicle access onto Kings Farm – Refused - 18.01.2023.
8. Application No. 23/00312/FUL - Installation of a footpath to the front – Withdrawn - 04.08.2023.
9. Application No. 23/00683/LDC - Application for a Lawful Development Certificate for proposed change of use from grass verge to hardstanding pathway including installation of fence – Withdrawn - 20.12.2023.
10. Application No. 24/00399/FUL - Change of use of part of grass verge to use for the parking of a vehicle on new hard surfaced driveway. Form new vehicular access onto Kings Farm – Approved - 09.10.2024.
11. Application No. 24/00823/FUL - Proposed single storey mono-pitched front extension. Re-roof existing flat roof with pitched section of roof. Internal and fenestration alterations – Approved – 21.01.2025.
12. Application No. 24/00840/FUL Construct new two storey, single family dwelling – Refused – 20.03.2025 Reasons for refusal:

“The proposed dwelling by virtue of its layout, setting and appearance would create a building plot and dwelling which would not be compatible with the prevailing character of the area, would be out of keeping with the established pattern of development and if allowed would represent overdevelopment of the site and prove detrimental to the character and appearance of the site and the surrounding area. It is therefore, considered to be contrary to the National Planning Policy Framework and policies Policy H1 of the Council’s Core Strategy and policies DM1 and DM3 of the Council’s Development Management Plan”.

“It is considered that the proposed dwelling by reason of inadequate separation distances, orientation, siting, mass and scale would result in an unacceptable overbearing impact upon the living conditions of neighbouring occupiers. The addition in this regard would significantly detract from the outlook currently enjoyed from the habitable rooms of No.45a Mortimer Road, as the proposed eastern side would dominate the outlook from their habitable rooms by comparison and replace a feeling of relative spaciousness with an oppressive expanse of built form contrary to guidance stipulated within the Essex Design Guide,

SPD2, Policy DM1 of the Council's Development Management Plan and the NPPF".

"In the opinion of the Local Planning Authority the proposed development with its first-floor window directly overlooking the private rear garden of No.1 Kings Farm, would create significant overlooking, resulting in a loss of privacy for the neighbouring property. Given the shallow garden depth at just 7.1m and the close juxtaposition and orientation of the two properties, the proposed window would allow direct views into the private outdoor amenity space, which is considered unacceptable in terms of residential amenity and contrary to the guidance stipulated within the Essex Design Guide, SPD2, Policy DM1 of the Council's Development Management Plan and the NPPF".

"The proposed dwelling due to the lack of fenestration on the flank elevations of the proposed dwelling, raises significant concerns regarding its architectural integration within the context of the surrounding area. The absence of apertures and articulation on these elevations would result in visually flat and monotonous elevations that fail to respond to the established architectural character and context. This design approach undermines the buildings potential to engage with the surrounding streetscape, creating an incongruous and visually intrusive form that would be out of character with the local vernacular. The absence of appropriate openings diminishes the building's ability to reflect the proportion, rhythm, and detailing typical of the area, resulting in a contrived and discordant appearance contrary to the guidance stipulated within the Essex Design Guide, SPD2, Policy DM1 of the Council's Development Management Plan and the NPPF".

MATERIAL PLANNING CONSIDERATIONS

13. 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.
14. 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).

Background Information

15. Previously, the applicant had submitted an application (24/00840/FUL) which sought planning permission for the erection of a "...new two storey, single family dwelling". This application was subsequently refused planning permission on the 20th March 2025 for the abovementioned reasons. The applicant has submitted the current application in an attempt to overcome the previous reasons for refusal.

Principle of the Development

16. The National Planning Policy Framework (NPPF) was revised in December 2024 (and further amended in February 2025) 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.
17. The NPPF also advises that planning policies and decisions should ensure that developments:
 - g) 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;
 - h) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - i) 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).
 - j) 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.
 - k) 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
 - l) 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.
18. 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.
19. 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 houses or 15.25 metres for semi-detached pairs or be of such frontage and form compatible with the existing form and character of the area within which they are to be sited. There should also, in all cases, be a minimum distance of 1 metre between habitable rooms and plot boundaries.

20. Policy CP1 of the 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 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.

21. According to the Council's GIS database the application site is located wholly within the settlement boundary of Rayleigh. Therefore, given that the application relates to a site within the settlement zone, the broad principle of development is acceptable.

Housing Land Supply

22. 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.

23. The current 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 1 No.) and as such if the proposal was permitted it would contribute to the existing shortfall, which is an important material planning consideration.

24. Although the absence of a 5-year housing land supply is a significant factor, it clearly does not outweigh the negative impact the proposal (if permitted) would have on the other issues outlined in this report.

Design

25. Good design is promoted by the National Planning Policy Framework (NPPF) as an essential element of sustainable development. It advises that planning permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area.
26. Policy CP1 of the Rochford District Council Core Strategy (2011) 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. This point is expanded in Policy DM1 of the Council's Development Management Plan (2014) which states: *"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 in the Council's Supplementary Planning Document 2 (SPD2).
27. 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.
28. Paragraph 67 of the National Design Guide stipulates that well-designed places use the right mix of building types, forms and scale of buildings for the context to create a coherent form of development that people enjoy. Built form defines a pattern of streets and development blocks and will be dependent on (amongst other considerations) the height of buildings and the consistency of their building line in relation to the street itself. Paragraph 68 states that the built form of well-designed places relates well to the site, its context and the proposed identity and character for the development in the wider place.
29. Furthermore, The National Model Design Code (B.2.iii) discusses that building heights influence the quality of a place in terms of its identity and the environment for occupiers and users. The identity of an area type may be influenced by building heights, including in terms of its overall scale.
30. The surrounding area is characterised by a variety of housing typologies which include 1, 1.5 and 2-storey detached and semi-detached dwellings some of which incorporate projecting gables and dormer windows. The houses fronting Mortimer Road in the immediate vicinity are two-storey semi-detached houses. Primarily these houses have car parking spaces at the front and private amenity space towards the rear. Furthermore, within the vicinity of the application site it is

noted that the roofscape is heterogenous comprising a mix of hips, gables and half hips. A rich palette of materials has been used to construct these neighbouring properties including render (predominantly white) and facing brick of differing colours and textures and cladding.

31. The issue is therefore whether this proposal is appropriate in terms of scale, height, position, materials and relationship with the surrounding area.
32. The proposal is for a detached two storey property. A driveway is proposed at the front of the dwellinghouse, with parking for 1 No. vehicle. The dwellinghouse would be accessed directly off Mortimer Road. Situated at the rear of the property will be the private amenity space, which will serve the proposal.
33. The submitted plans indicate that the proposed development would have a site frontage of approximately 6.2m, with the dwelling set in by 950mm from the eastern boundary shared with Nos. 45A Mortimer Road and 1A Kings Farm, and by 150mm from the western boundary with No. 43 Mortimer Road. Such minimal separation distances provide little visual or spatial relief between buildings and contribute to a cramped form of development that is not in keeping with the established pattern of development along this stretch of Mortimer Road. Overall, it is considered that this narrow frontage represents a significant departure from the established spatial pattern of development in the surrounding area.
34. The Council's Supplementary Planning Document 2 – Housing Design (SPD2) advises that detached dwellings should ordinarily have a minimum site frontage of 9.25m, and semi-detached pairs 15.25m, unless it can be demonstrated that a reduced frontage is compatible with the character of the area. The intention of these standards is to ensure dwellings are proportioned appropriately, maintain sufficient separation from boundaries, and contribute positively to the rhythm and character of the street. In the vicinity, plot widths typically range from approximately 9m to 15.1m, all substantially wider than the proposed 6.2m. While some neighbouring plots fall short of SPD2 guidance, the shortfall in the proposal is far more pronounced, resulting in a development that would appear cramped and out of scale with adjacent properties.
35. The limited plot width materially constrains the layout and functionality of the proposed dwelling. There is insufficient space to provide a well-proportioned frontage that accommodates landscaping, pedestrian access, and car parking without appearing cluttered. The dwelling's close proximity to both side boundaries exacerbates this, reducing visual relief and creating a tight and constrained form of development. As a result, the proposal would fail to achieve a high-quality setting for

the dwelling or a frontage that integrates effectively with the streetscene.

36. The cramped layout would also have negative implications for the character and appearance of the area. A dwelling of such narrow frontage would disrupt the spatial rhythm and sense of openness that typifies Mortimer Road. The proposal would therefore produce a form of development that is incongruous with its surroundings, failing to reflect the local pattern of development or contribute positively to the streetscape.
37. The proposal conflicts with Policy DM1 of the Council's Development Management Plan, which requires new development to be well integrated and responsive to the local context, and Policy DM3, which emphasises high-quality design and layout. Policy CP1 of the Core Strategy also seeks development that enhances the built environment. In addition, the scheme fails to meet the design objectives of the NPPF, which require developments to be sympathetic to local character, visually attractive and function well over their lifetime.
38. In conclusion, the proposed development would represent an over-intensification of the site. The inadequate site frontage and resulting cramped layout would appear out of scale with surrounding properties, provide limited scope for landscaping or functional amenity, and be harmful to the character and appearance of the streetscene. The proposal is therefore contrary to SPD2, Policies CP1, DM1, and DM3, and the design aims of the NPPF, forming a clear and substantive reason for refusal.
39. Plan Reference No.3092 20 (dated July 2025) shows the proposed dwellinghouse will have a roughly elongated rectilinear footprint which would measure approximately 7.75m long by 5m deep (as measured at the widest points). The front elevation would be staggered. The proposed dwellinghouse would measure approximately 3.3m high to the eaves and to the highest part of the roof would be 5.8m. The proposal will incorporate a gable roof. It is noted that the ridge height of the proposed dwellinghouse is lower than the ridge height of the neighbouring property No. 43 Mortimer Road, and the applicant has tried to make the proposal appear subservient.
40. However, the proposed dwelling will be sited approximately 4m beyond the front elevation of No.43 Mortimer Road, which in turn will exacerbate its prominence within the streetscene. The case officer notes that the building line along this stretch of Mortimer Road is not regimented and is staggered. As a matter of fact, Nos. 19 and 21 and Nos. 29 to 35 are all sited further forward in their plots, and the front elevation of the proposed dwellinghouse roughly aligns with the front elevations of these properties. In conclusion, the proposed dwelling house will be situated further forward compared to its immediate neighbours; however, due to the staggered building line present within

the immediate locality, its positioning will not result in noticeable adverse impact on the character or appearance of the streetscene. The variation in the building line already exists in the area, and the proposed siting will blend with this established pattern, maintaining the overall visual harmony and will not disrupt the urban grain.

41. The proposed dwellinghouse would be constructed out of a simple palette of materials utilising facing brick, horizontal cladding at first floor (which wraps the front, rear and side elevations of the proposed dwellinghouse) under a concrete interlocking tile roof. The windows would be uPVC or powder coated aluminium. It is not considered that the proposed materials will have a detrimental impact on the character and appearance of the streetscene as a whole.
42. From a design perspective, the dwelling includes a distinctive stepped profile on the principal elevation. Specifically, the ground floor is recessed by approximately 1m, while the first floor cantilevers above, creating an overhanging form. This configuration appears to be a deliberate design response to accommodate off-street parking to the front of the site, in light of spatial constraints. However, in the case officer's view, this design solution would appear forced and visually unresolved. The overhang, rather than presenting a coherent or innovative architectural gesture, would read as a contrived attempt to resolve the lack of sufficient depth for standard car parking provision. The result is a composition that lacks design integrity and contributes to a perception of imbalance and awkwardness on the frontage.
43. The front and rear elevations would feature apertures of varying size, which provide some relief and help to break up the building's mass. However, the flank elevations remain largely unarticulated, dominated by large, uninterrupted expanse of brickwork and cladding. This lack of visual relief would result in elevations that appear stark, rigid, and overbearing. The absence of meaningful articulation or variation on these elevations is contrary to the principles of good design, which emphasize modulation, proportion, and responsiveness to context.
44. The inclusion of two pitched roofed dormers, centrally located on each roof plane, fails to address these issues and instead appears contrived. Each dormer comprises a small fixed window beneath the apex, with the remainder clad in horizontal cladding to match the first floor. Rather than providing genuine architectural interest or integration, the dormers are incongruous and obtrusive, introducing an alien visual element that exacerbates the perceived mass and lack of articulation of the flank elevations. The dormers' scale, detailing, and composition are discordant and do not successfully reduce the visual prominence of the building.
45. As a result, the proposed dwelling would appear unduly obtrusive and poorly integrated within the streetscene. The combination of stark, unbroken flank elevations and contrived dormer features results in a

building that is visually overbearing and incongruent with the surrounding context. The lack of hierarchy, proportion, and visual interest across all elevations undermines the overall architectural quality and character of the proposal.

46. Policy guidance reinforces these concerns. The NPPF requires that developments function well, contribute positively to the quality of the area, and achieve visual attractiveness through good design. The Council's Development Management Plan similarly states that development should respond sensitively to local character, scale, and context. Furthermore, SPD 2: Housing Design explicitly indicates that proposals which are out of scale, unduly obtrusive, or lacking in articulation are liable to be refused. The current proposal fails to meet these requirements due to its overbearing massing, unarticulated flank elevations, and incongruous dormer treatment.
47. Internally the ground floor accommodation will comprise lounge/dining room, kitchen and w.c. Whilst the first-floor accommodation will consist of 1No. bedroom and family bathroom.
48. Taken as a whole, the proposed dwelling fails to demonstrate a high-quality form of development that would respond positively to its context. While the forward siting of the building would not, in isolation, cause undue harm given the staggered building line along Mortimer Road, the scheme is fundamentally compromised by its narrow plot width, cramped layout, and poor design execution. The limited site frontage falls substantially below SPD2 guidance and materially constrains the layout, resulting in a dwelling that appears out of scale, provides minimal separation to boundaries, and disrupts the established spatial rhythm of the street.
49. Furthermore, the design solutions employed to overcome these constraints - such as the stepped frontage, overhanging first floor, and contrived dormer additions - lack coherence and architectural integrity. Instead of mitigating the building's mass and narrow proportions, they accentuate its imbalance and contribute to a visually awkward and obtrusive form. The stark, unrelieved flank elevations further compound these concerns, presenting an overbearing presence that fails to integrate into the streetscene or enhance the character of the area.
50. Accordingly, the proposal conflicts with the requirements of Policies CP1, DM1, and DM3 of the Development Management Plan, the design guidance set out in SPD2, and the aims of the NPPF, all of which seek well-designed development that is proportionate, sympathetic to local character, and contributes positively to the built environment. The cumulative shortcomings of the scheme represent a clear and substantive reasons for refusal.

Impact on Residential Amenity

51. 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. Policy DM3 also requires an assessment of the proposal's impact on residential amenity.
52. Amenity can be defined as a set of conditions that one ought to reasonably 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.
53. Paragraph 7.1 of the Council's SPD 2 (Housing) states the relationship between new dwellings and existing dwellings in the case of infill developments is considered to be of particular importance to the maintenance of the appearance and character of residential areas. Policy DM1 inter alia states proposals should avoid overlooking, ensuring privacy and promoting visual amenity; and form a positive relationship with existing and nearby buildings.
54. The proposed front elevation openings would result in an outlook onto the proposed public realm and hardstanding and as such no objections are raised to these apertures.
55. Turning to the rear elevation, a ground floor opening is proposed to serve habitable accommodation, namely, a large aperture serving the kitchen space. Whilst this would face towards the rear boundary, it is considered that any impact upon adjacent occupiers would be limited by the provision of boundary treatments. These enclosures, which will be conditioned as part of any grant of planning permission, will provide sufficient screening to safeguard the privacy and amenity of neighbouring residents. On this basis, it is concluded that the ground floor opening would not result in material harm to adjoining properties.
56. At first floor level, the submitted plans confirm that the only rear-facing window would serve a bathroom. In order to prevent overlooking and protect residential amenity, it is recommended that a condition be imposed requiring this window to be obscurely glazed and fixed shut below a height of 1.7m above internal finished floor level. Such a condition is consistent with standard practice and will ensure that no unacceptable loss of privacy arises to neighbouring occupiers.

57. With regard to the spatial relationship between the application site and adjoining dwellings, it is acknowledged that the rear boundary of No. 1 Kings Farm is contiguous with the rear boundary of the application site. The proposed rear garden would measure approximately 7.1m in depth, which is relatively shallow when compared with some suburban garden standards. Nevertheless, it is important to note that this depth is broadly in keeping with the established grain of development in the locality. For instance, the rear garden of No. 43 Mortimer Road extends to approximately 8.6m, whilst the garden to No. 47 measures around 6.7m. This demonstrates that constrained garden depths are not atypical within the immediate context.
58. In terms of overbearing or dominance, regard has been given to the siting of No. 1 Kings Farm to the north of the subject site. The orientation is such that the proposed dwelling, with a modest ridge height of 5.8m, would not result in significant overshadowing of the neighbouring property's rear garden. Moreover, the intervening garden depth of 7.1m provides a spatial buffer that reduces any perception of visual dominance when viewed from No. 1 Kings Farm. Taking these factors together, it is considered that the development would preserve an acceptable standard of amenity and would not give rise to an unduly oppressive relationship.
59. The proposed dwellinghouse will be at 90° angle in relation to the neighbouring dwelling located No. 45A Mortimer Road. The case officer noted that there were several windows (both at ground floor and first floor levels) which serve habitable rooms and overlook the application site. The proposed dwelling would be 7.7m away from the first-floor windows at No.45A Mortimer Road. According to the Essex Design Guide there should be a minimum separation distance of 15m between the rear of the existing property and the flank elevation of the proposal. It is considered that the proposed dwelling by reason of inadequate separation distances, orientation, siting, mass and scale would result in an unacceptable overbearing impact upon the living conditions of neighbouring occupiers. The addition in this regard would significantly detract from the outlook currently enjoyed from the habitable rooms of No.45a Mortimer Road, as the proposed eastern side would dominate the outlook from their habitable rooms by comparison and replace a feeling of relative spaciousness with an oppressive expanse of built form contrary to guidance stipulated within the Essex Design Guide, SPD2 and Policy DM1 of the Council's Development Management Plan.
60. On the opposing side of the application site is No.43 Mortimer Road (to the west) a two storey detached dwellinghouse. The case officer noted that on the flank elevation of this property (No.43) which will be parallel to the flank elevation of the proposal, there was a couple of apertures at ground floor level, which will be screened by any boundary treatment. Furthermore, as the proposal sits closer to Mortimer Road in its plot, the proposal will not breach the Council's 45-degree guidance.

As previously attested too, there are no windows in the flank elevation of the proposal and as such there will be no loss of privacy, daylight or have an overbearing impact. Due to the articulated design of the property, it will not have a significant impact on the private amenity space attributable to No.43.

61. In conclusion, the proposed development has been assessed against the relevant national and local planning policies, including Paragraph 135(f) of the NPPF, Policies DM1 and DM3 of the Development Management Plan, and SPD2 (Housing). The scheme is acceptable in terms of its impact on No. 43 Mortimer Road and No. 1 Kings Farm, where boundary treatments, orientation and separation distances ensure no material loss of light, privacy or amenity. Conditions requiring obscure glazing and appropriate enclosures will further safeguard residential living conditions.
62. However, the proposal fails to achieve an acceptable relationship with No. 45A Mortimer Road. The inadequate separation distance, combined with the siting, scale and massing of the dwelling, would create an unduly overbearing impact and result in an oppressive outlook from habitable rooms. This would significantly harm the amenity of neighbouring occupiers, contrary to the Essex Design Guide, SPD2, and Policy DM1.
63. On this basis, while parts of the proposal are considered acceptable, the harm arising in relation to No. 45A Mortimer Road is sufficiently significant to warrant refusal of planning permission.

Living Conditions of Future Occupiers

Garden Sizes

64. The NPPF seeks that the creation of places are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
65. Supplementary Planning Document 2 requires a minimum 100m² garden area for all new dwellings except one and two-bedroom dwellings where a minimum private garden area of 50 m² would be required. According to the submitted plans, the proposed new dwellinghouse would have a private rear space measuring approximately 50m², which is in accordance with the guidance advocated within the SPD.

Sustainability

66. The Ministerial Statement of the 25th March 2015 announced changes to the government's policy relating to technical housing standards. The changes sought to rationalize the many differing existing standards into a simpler, streamlined system and introduce new additional optional

Building Regulations on water and access, and a new national space standard.

67. 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.

68. 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.

69. A two-storey dwelling which would feature 1 bedroom would require a minimum Gross Internal Floor Area (GIA) of 58m². Additionally, the dwelling must have a minimum of 1.5m² of built-in storage. The standards above stipulate that single bedrooms must equate to a minimum 7.5m² internal floor space while double bedrooms must equate to a minimum of 11.5m², with the main bedroom being at least 2.75m wide and every other double room should have a width of at least 2.55m. 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. The GIA of the proposed dwellinghouse equates to approximately 55m². Consequently, there is a shortfall of roughly 3m². However, the information contained within the Housing Standards Technical Guidance is guidance rather than explicit policy provision and the case officer considers that a relative insubstantial shortfall is not sufficient justification to warrant a refusal and substantiate it at future Appeal.

70. The table below shows the Gross Internal Floor area for the proposed bedroom.

Bedroom No.1	15.34m ²
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71. According to the submitted plan the bedroom complies with aforementioned guidance. No storage areas have been indicated on the plan; however, there may be sufficient space underneath the staircase to be allocated for storage.

72. Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently, all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. A condition would be recommended

to ensure compliance with this Building Regulation requirement if the application were recommended favourably.

73. 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

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

Flooding

75. 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.

Refuse and Waste Storage

76. 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 rear garden space would provide adequate storage space whilst the drag distance

would be below 20m owing to the distance of the proposed dwelling from the road.

Impact on Highway Safety

77. 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.
78. The Council has recently adopted the Essex Parking Guidance (2024), which now supersedes the previous 2009 guidelines used by Rochford District Council. The Parking Standards states that for dwellings with one bedroom, one 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.
79. 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.
80. The proposed site has sufficient space within the proposed curtilage to provide at least one car parking spaces at the required dimensions as stated in the EPOA parking standard. It is noted numerous neighbouring properties have hard-surfaced their frontages in order to provide vehicular parking, a recent update to the Framework (2024) and the introduction of associated design guidance, have emphasised the use of soft landscaping ensuring that schemes are visually attractive. Therefore, it would be reasonable for the Council to impose a condition relating to soft landscaping scheme to be submitted in order to avoid the complete hard surfacing of the site frontage.
81. 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 application includes provision of a one-bedroom dwelling with off-street parking. The existing vehicle access is retained and to enable the parking space to be utilised fully, the Highway Authority recommends that the vehicle gates shall be removed. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority"*.
82. The Highways Engineer goes on to state that they have no objections to the proposal subject to conditions relating to no unbound materials, prior to occupation one off street parking space to be provided, cycle

parking, residential travel information pack, reception and storage of building materials and standard informatives.

83. In conclusion, the Highways Authority has reviewed the submission information and concludes there would be no unacceptable impact on highway safety or a severe impact on congestion. There is no reason for the Local Planning Authority to take an alternative 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 is 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

84. Policy DM25 of the of the Development Management Plan (2014) 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.'

85. No trees or existing landscaping features would be lost as a consequence of the proposed development.

Ecology On-site

86. The NPPF at section 15 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.

87. 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.
88. 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.
89. A document produced by Greenlight Environmental Consultancy and dated 7th November 2024 was submitted by the applicant. It concluded that habitats on site are comprised entirely of developed land, sealed surface and vegetated garden. Therefore, as this site is garden land in a suburban location, it is highly unlikely to contain habitat for protected species which would be adversely affected by the development.
90. In light of national planning policy, local policy requirements, and statutory duties under the NERC Act, it is clear that the planning system places strong emphasis on the protection and enhancement of biodiversity. However, the ecological assessment submitted by Greenlight Environmental Consultancy (dated 7th November 2024) confirms that the application site comprises only developed land, sealed surfaces, and suburban garden vegetation, with no habitats suitable for protected species. Consequently, the proposed development is unlikely to give rise to any adverse effects on species or habitats of principal importance. The proposal is therefore considered to accord with the requirements of the NPPF, the Local Development Framework Development Management Plan (Policy DM27), and the wider legislative framework relating to biodiversity.

Off Site Ecology

91. 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.

92. 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 Coast 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

93. 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.

94. 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.

BNG

95. 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.
96. 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 applicant has not therefore been required to provide any BNG information.
97. 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

98. 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.
99. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
100. 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.

Other Matters

101. Several objectors are concerned that the LPA are reconsidering the current resubmission having recently refused a similar application. However, according to guidance previously set out in Circular 08/2005 and the more up to date New Planning Practice Guidance (NPPG) advises that whilst an LPA has at its discretion the power to refuse to entertain an application, this discretionary power should only be used where they believe that the applicant is trying to wear down opposition by submitting repeated applications. If an application has been revised in a genuine attempt to take account of objections to an earlier proposal, the local planning authority should determine it (see *Harrison, R (on the Application Of) v Richmond upon Thames Borough Council* (2010)). It is considered that the applicant has submitted revised plans in genuine attempt to overcome some of the previous reasons for refusal; therefore, the LPA is duty bound to consider the revised application in light of guidance enunciated in the NPPG.
102. Some objectors have inferred that if the proposal is allowed it will create a precedent for similar types of development within the locality. However, in relation to planning there is no such planning precedent as every development is different, every site is different and planning policies and guidance etc. are constantly evolving. The notion of planning precedent is entirely erroneous. A search of case law does not reveal a judicial direction on the existence of planning precedence because it cannot in fact actually exist. The concept of planning precedent essentially flies in the face of planning's prime directive which are that planning permission should be granted unless policy or material considerations dictate otherwise and that every planning permission must and shall be considered on their individual merits. However, in planning law, there is a "principle of consistency" in decision-taking. The principle is not that like cases must be determined alike, but a decision-taker ought, when considering a materially similar proposal, to have regard to the principle of consistency, to have good reason if deciding to depart from the previous decision, and to give reasons for any such departure. In regards to this there have been numerous Court cases, for example, *Mann LJ in North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P & CR 137: "One important reason why previous decisions are capable of being material is that like cases should be decided in a like manner so that there is consistency" and *R (Midcounties Co-Operative Limited) v Forest of Dean District Council* [2017] EWHC 2050 and *Baroness Cumberlege v Secretary of State for Communities & Local Government* [2017] EWHC 2057
103. Concerns have raised that if the application is approved it will lead to a loss of a view. 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 do with the loss of a view and devaluation of a property are not considered to be material planning considerations.

104. During the course of the planning application a number of concerns were raised regarding land ownership and the objectors state that the applicant did not reside at the address and as a matter of fact lived outside the borough boundaries. Firstly, it is important to note that the planning system entitles anyone to apply for permission to develop any plot of land, irrespective of ownership. Typically, issues revolving around land ownership are private matters and as such are not considered to be a material planning consideration. However, it is imperative that the applicant complete the correct Certificate. As a planning application is a legal document and if the incorrect Certificate has been completed then there is a risk that the permission granted may be made invalid and it is possible that the High Court may quash any permission. In any event, by granting planning permission does not remove or negate the rights of the legal land owner. In addition to the above, providing that the applicant has completed correct certificate of ownership they are not legally required to live at the same address at which the development is occurring.

105. 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, access and mess. Again, the case officer notes the concerns of the objectors 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.

CONCLUSION

106. Refuse.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council : No comments received.

Essex County Council Highways Authority: No objection subject to the imposition of conditions relating to reception and storage of building materials, residents travel information pack, cycle parking, one off street car parking to

be provided in accordance with the dimensions contained within the current parking standards, no unbound materials and standard informatives.

Neighbour representations:

Six responses have been received from the following addresses;

Mortimer Road: 38, 43, 45A, No. 32 Oak Lodge.

Kings Farm: 1, 2.

And which in the main make the following comments objections:

- Misleading measurements on submitted plans.
- There's already been a previously refused application.
- There would be overdevelopment of the site as it is too close to the boundaries.
- The proposal would result in a poor outlook
- The proposal is too small and will not comply with building regulations
- The design of the proposal is poor quality and not in keeping with other properties in the area
- There would be overlooking and loss of privacy.
- The proposal will stand forward of my property creating a sense of oppressiveness which will be made greater due to its height
- No consideration for neighbours when the property is to be constructed
- Very little has changed from this application to the recently refused application
- The proposal will be overbearing and lead to the loss of my view
- The design, scale and mass of the proposed dwellinghouse is out in keeping with the locality
- There is inadequate parking for the proposed development. If the proposal was allowed, it would exacerbate parking problems in the locality
- The developer does not even live at the address
- Felling of trees.
- Loss of public space.
- Development would negatively impact the availability of parking for neighbours.

Relevant Development Plan Policies:

National Planning Policy Framework (December 2024 revised in February 2025)

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.

RECOMMENDATION: REFUSE

For the following reasons:

1. The proposed dwelling, by virtue of its awkward stepped frontage, contrived first-floor overhang, stark and unarticulated flank elevations, and incongruous dormer features, would result in a visually unresolved and obtrusive form of development. The design fails to exhibit coherence, proportion, or integration with the surrounding context, producing a building that would if allowed, appear overbearing and discordant within the streetscene. As such, the proposal fails to achieve a high standard of design and would be contrary to paragraph 139 b) the National Planning Policy Framework and policies DM1 and DM3 of the Council's Development Management Plan.
2. The proposed development, by reason of its inadequate site frontage of approximately 6.2 metres, fails to reflect the established pattern of development in the area where plot widths typically range from 9 to 15 metres. The limited width would result in a cramped layout with minimal separation from site boundaries, insufficient scope for landscaping, and a constrained frontage incapable of accommodating pedestrian access, parking, and amenity space in a functional or visually satisfactory manner. Consequently, the proposal represents an over-intensification of the site that would be out of scale with its surroundings and harmful to the character and appearance of the locality. The scheme therefore conflicts with Policies CP1 of the Council's adopted Core Strategy , and policies DM1, and DM3 of the Council's Development Management Plan, the design guidance contained within the Council's SPD2: Housing Design, and the aims of the National Planning Policy Framework.
3. It is considered that the proposed dwelling by reason of inadequate separation distances, orientation, siting, mass and scale would result in an unacceptable overbearing impact upon the living conditions of neighbouring occupiers. The addition in this regard would significantly detract from the outlook currently enjoyed from the habitable rooms of No.45a Mortimer Road, as the proposed eastern side would dominate the outlook from their habitable rooms by comparison and replace a feeling of relative spaciousness with an oppressive expanse of built

form contrary to guidance stipulated within the Essex Design Guide, SPD2, Policy DM1 of the Council's Development Management Plan and the National Planning Policy Framework.

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