



PLANNING APPLICATIONS WEEKLY LIST NO.1778
Week Ending 10th October 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 **15th October 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).

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Application No:	25/00523/FUL Zoning: Metropolitan Green Belt
Case Officer	Mr Harry Goodrich
Parish:	Sutton Parish Council
Ward:	Roche South
Location:	All Saints Church Hall Sutton Road Rochford
Proposal:	Rebuild existing fire damaged church hall to existing footprint

SITE AND PROPOSAL

1. The site comprises an existing church hall that is currently unable to be used due to extensive fire damage that occurred in February 2020.
2. The site is located within the Metropolitan Green Belt, and close to the Grade II* Listed Church of All Saints (List Entry Number: 1113355).

RELEVANT PLANNING HISTORY

3. PA/15/00030/PREAPP - Pre-application request for refurbishment of a listed building – Closed 27.05.2015.

MATERIAL PLANNING CONSIDERATIONS

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

Green Belt considerations

6. The site is located within the Metropolitan Green Belt. Paragraph 154 c) to the National Planning Policy Framework (2024) (as amended) makes clear that the replacement of a building for the same use and not materially larger than the one it would replace, would be appropriate and acceptable within the Green Belt. Policy CLT6 of the Rochford Core Strategy states how community facilities will be safeguarded from development. In this instance the proposed development will involve the replacement of the fire damaged church

hall and will enable its continued use as a community facility. This is therefore safeguarded from other forms of development given this continued use.

7. Policy DM10 of the Rochford Development Management Plan looks at the development of previously developed land within the Green Belt. In this instance, the proposed church hall is to sit within the existing footprint of the fire damaged church hall in which it is to replace. Policy DM10 provides a number of criteria for the redevelopment of Green Belt land and these are addressed below;

- (i) it can be demonstrated that locating the proposed development on employment land, in a town centre or edge-of-centre location would not be appropriate, viable and/or deliverable;

The proposed replacement building is designed to be a secondary space to that of the Grade II Listed Church of All Saints and as such would not be suitable to be located within the listed areas above.*

- (ii) the proposed development is well related to a defined residential settlement if appropriate having regard to the type of development proposed and potential impact on residential amenity;

The site is a small parcel of land to the north of the church. The site is readily accessible on the highway network into Rochford and would likely have negligible impacts on residential amenity given its location.

- (iii) the proposed development has good connections to the strategic road network;

The site connects directly through a parking area onto Sutton Road, this would then connect onto the A1159 to the south, and into the services available in Rochford to the north-west.

- (iv) the proposed development would promote sustainable transport modes;

The development is not of a scale that would likely promote sustainable transport alternatives, however given the sites existing use as a community facility, albeit currently unused due to fire damage, the site is to continue this use at its previously accepted scale and would be unlikely to place any further strain on the highways network through vehicle usage.

- (v) it would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;

The proposed development is not considered to result in impacts on areas of international, European or local conservation importance. The proposed development has been considered by the authorities heritage consultant and is deemed to result in no harm to the Grade II Listed Church of All Saints, subject to a condition that will require additional information in relation to the materials to be used on the fenestration of the site.*

- (vi) the proposed development is located within the South Essex Coastal Towns landscape character area.

The site is located within the South Essex Coastal Towns Landscape Character Area and as such is supported by the aims of policy DM10.

Design and Heritage Impacts

8. The proposed development is to largely reflect and be of much the same form as the building in which it is to replace. The proposed building will include a central hall element, within the large open plan building. This space is to also include a kitchen space as well as w/c to the rear of the building. This simple plan form is reflective of its proposed end use and will enable the space to be multi-functional for community uses.
9. The proposal is to include materials on the walls that are reflective of what currently exists, this being white render. Currently UPVC windows have been proposed for the building, however the heritage consultant, within their comments has concluded that this would result in an inappropriate addition given the sites relationship to the Grade II* Listed Church of All Saints, and as such it is recommended that timber, or an alternative appropriate material be used. To ensure this takes place, these materials are to be secured through the use of a planning condition. Outside of these concerns around materials, the proposal has been assessed in full by the council's heritage consultant and it has been seen that the proposal will result in no harm to the Grade II* listed church and is therefore considered acceptable from a design perspective given the building it is replacing.

Impact on Character

10. The proposed development, by virtue of the reasons explained above is to replace an existing church hall that has been extensively fire damaged. The proposed building is to replicate the existing footprint of the building and is to largely be of a similar external appearance to that which currently exists. As such the proposal is unlikely to have any significant impacts on the wider character of the area by virtue of its positioning, siting, location and scale. The development is therefore considered acceptable in this regard.

Impact on Residential Amenity

11. The closest residential neighbours to the site are located some 135m to the east through high density vegetation that largely screens the hall from view, further to this the closest residential neighbours to the front of the site are located some 260m to the south along Sutton Road. The development being single storey in nature, largely replicating what currently exists and utilising sympathetic materials is unlikely to result in significant residential amenity impacts and is considered acceptable in this regard.

Highways Impacts

12. The site benefits from a parking area to the front of the site. Whilst this is not formally marked out, it can be seen that this can accommodate a number of vehicles. It can also be seen that the associated Church of All Saints benefits from a large parking area to the south of the church which could further accommodate vehicles from users of the proposed hall.
13. Whilst no specific details around the removal of waste have been specified on the site, it can be seen that given the scale of the building, as well as the likely usage of the building that the required provision for waste could be provided on site, off the public highway as well as being in a position that would be unlikely to result in undue impacts on the landscape nor the character of the area.

Biodiversity Net Gain

14. Given that the site is to replace an existing building of the same footprint the proposed development is considered to constitute de-minimis development in line with the requirements to provide biodiversity net gain. As such no requirement for 10% to be delivered is required and the proposal is considered acceptable in this regard.

Other Matters

15. It is noted that the site is in close proximity to a number of public footpaths, more specifically Sutton 5 to the south and Sutton 7 to the North. These footpaths are to not be impacted by this proposal given their location and routing. The proposal is therefore considered acceptable in this regard.

EQUALITIES AND DIVERSITY IMPLICATIONS

16. 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.

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

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

CONCLUSION

19. The proposed replacement church hall, which is to be within the footprint of the existing building which is to be removed, is not considered to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets. The proposal is therefore considered to accord with the aims of Policy DM10 of the Rochford Development Plan (2014), Policy CLT6 of the Core Strategy (2011), as well as the aims of Paragraph 8 and Paragraphs 212-218 of the National Planning Policy Framework (NPPF) (2024). The recommendation is therefore to approve development.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Sutton Parish Council: No Comments Received.

Rochford District Council Arboricultural Officer: No Objection subject to a planning condition to retain existing trees.

London Southend Airport: No Objection.

Essex County Council Place Services Heritage Team: No Objection subject to a planning condition to seek alternative timber window materials.

Neighbour representations:

1 response has been received in support of the application, summarised as follows:

- Positive scheme to bring the church hall back into a community use.

Relevant Development Plan Policies:

National Planning Policy Framework (2024) (as amended)

Rochford District Council Local Development Framework
Core Strategy Adopted Version (December 2011) – Policy CP1, CLT6

Rochford District Council Local Development Framework
Development Management Plan (December 2014) – Policy DM1, DM10,
DM25, DM30.

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

The Essex Design Guide (2018)

RECOMMENDATION: APPROVE

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

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

- 2) The Development hereby approved shall be carried out in total accordance with the approved drawings labelled;

- 1270.01
- 1270.02
- 1270.03
- 1270.04
- 1270.05
- 1270.06
- 1270.07
- 1270.08
- 1270.09

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

- 3) A schedule of the types and colour of the materials, including windows and doors, to be used in the external finishes shall be submitted to and approved in writing by the local planning authority prior to their first use on site. The development shall be implemented in accordance with the approved details

REASON: In the interests of conserving the setting of the Grade II* Listed Church of All Saints.

- 4) Prior to any demolition, ground works or other construction activities on the site, a tree protection plan, in accordance with BS 5837 2012 shall be submitted to and approved in writing by Rochford District Council. The details as approved shall be implemented in their entirety during the demolition and construction phase.

REASON: In the interests of ensuring suitable tree protection measures are in place during the demolition and construction phases of the development.

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

Application No :	25/00616/FUL Zoning: No allocation
Case Officer	Mr Thomas Byford
Parish :	Hawkwell Parish Council
Ward :	Hawkwell East
Location :	12 Adams Glade, Ashingdon, Essex.
Proposal :	Retrospective application for change of use of land to garden and erection of fence.

SITE AND PROPOSAL

1. The application site is located at 12 Adams Glade, Ashingdon. The surrounding area is characterised by an established residential estate of terraced and linked dwellings and associated mews garage courts, giving the locality a uniform appearance. The application property is an end-of-terrace dwelling positioned adjacent to a block of garages. To the rear of the terrace runs a narrow alleyway, understood to be historically intended as a pedestrian link between garage / parking areas.
2. The applicant seeks retrospective planning consent for the change of use of land at the rear of 12 Adams Glade, Ashingdon. The proposal involves the incorporation of part of the narrow alleyway into the private garden of the dwelling, together with the erection of a close-boarded boundary fence.
3. It is noted that the alleyway in question is shown on historic estate layout and Land Registry plans as a 'shared footpath'. However, it is not identified as a public right of way or adopted highway. No signage exists on site to indicate its formal status. Following discussions with the Council's enforcement team and a review of the original planning

history, no conditions or Section 106 agreement were found to have secured the retention of this footpath. In the absence of such controls, there are no planning grounds to require its retention for public use.

RELEVANT PLANNING HISTORY

4. Application No. ROC/262/81 – Erection of 8 x 4-bed houses, 34 x 3-bed houses, 56 x 2-bed houses, 19 x 1-bed flats with garages, estate roads and sewers (Phases 2 & 3, Hilltop Farm, Ashingdon) – Refused 29/05/1981. Appeal allowed 15/02/1982.
5. This permission established the layout of the Adams Glade estate, including garage courts and connecting footpaths to the rear of properties.

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 Change of Use and Development

8. Good design is promoted by the National Planning Policy Framework (2024) (as amended) (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.
9. 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 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 the Council's Supplementary Planning Document 2 (SPD2).
10. 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 and regard must also be had to the detailed advice and guidance in Supplementary Planning Document 2- Housing Design (hereafter SPD2), as well as to the Essex Design Guide.

Impact on Character

11. In this case, the alleyway is not landscaped amenity space and does not form part of the wider public realm. It is a narrow strip to the rear of garages. Its enclosure must therefore be assessed on its impact on character, amenity and safety.
12. The NPPF sets out the Government's approach to sustainable development. Section 12 (Achieving well-designed places, paragraphs 131–141) emphasises that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to the planning process. Paragraph 135 requires planning decisions to ensure that developments:
 - function well and add to the quality of the area;
 - are visually attractive as a result of good architecture, layout and appropriate landscaping;
 - are sympathetic to local character and history;
 - establish or maintain a strong sense of place;
 - optimise the potential of sites to support appropriate development and local facilities; and
 - create safe, inclusive and accessible places with a high standard of amenity for existing and future users.
13. The alleyway runs along the rear of this row of terraced dwellings. While it was originally intended as a pedestrian link, its present state demonstrates a lack of active use.
14. Whilst neighbours have explained that the alleyway has historically been used to move lawnmowers or to gain access for maintenance, such matters fall within the scope of covenants enforceable through civil law and cannot be determinative in a planning decision.
15. It is understood that the alleyway was used prior to its enclosure, but since the fence was erected, the strip has become overgrown and less accessible. Some gardens along the terrace also indicate disuse: with some dwellings permanently closing off their access.

16. The fencing erected at No.12 is close-boarded and typical of domestic boundaries. It is positioned at the rear of the terrace, where it has no impact on the public street scene. It does not result in the loss of landscaped open space or erode a consistent estate feature.
17. On this basis, the enclosure does not harm the character of the estate and complies with the design policies of the NPPF, Core Strategy and Development Management Plan.

Impact on Residential Amenity

18. The fence constructed is standard in form and scale. It does not cause overshadowing, overbearing impact or overlooking of neighbouring properties.
19. Neighbours' concerns regarding loss of access to the rear of their garages and boundaries are understood but fall outside the scope of planning. Though practical, these are private rights-of-way issues which would be resolved as civil matters.
20. The proposal therefore complies with Policy DM1 in respect of neighbour amenity.

Impact upon Highway Safety

21. Essex County Council as Highway Authority have been consulted and have not objected to the proposal. The alleyway in question is not recorded as adopted highway and no public right of way exists over the land. Its enclosure has not obstructed the highway network, nor has it prejudiced emergency access to the surrounding estate roads.
22. The enclosure does not obstruct the highway network. Alternative pedestrian routes exist within the estate to link garages and parking areas.
23. The proposal is therefore acceptable in highway terms and complies with Policy DM1 and the NPPF.

Land Ownership and Rights of Way

24. Neighbours have submitted deed extracts showing the alley labelled as a "shared footpath."
25. The applicant has confirmed ownership of the land. In planning law, the applicant is entitled to apply for permission irrespective of disputes over private rights.
26. Private rights of way and covenants are enforceable privately through the courts but cannot be secured through the planning system unless imposed by condition or legal agreement as part of an original consent

and to serve a planning purpose which could not be obtained in this case. The planning decision cannot adjudicate on these civil matters.

CONCLUSION

27. In the absence of conditions or a Section 106 agreement requiring its retention, there are no planning grounds to withhold consent.
28. The close-boarded fence is a standard residential boundary treatment, with no impact on the public realm. The proposal does not harm the character of the estate, neighbour amenity, or highway safety.
29. While neighbours have raised genuine practical concerns regarding loss of access and deeded rights, these are civil issues outside the scope of planning. The Local Planning Authority must determine the application on its planning merits, which weigh in favour of approval.
30. The proposal complies with Policies CP1 and DM1 of the Development Plan, SPD2 guidance, and Section 12 of the NPPF (2024).

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Hawkwell Parish Council: No comments received.

Essex County Council Highway Authority: No objection.

Six representations have been received which in the main make the following comments and objections (summarised):

- The alleyway is identified in property deeds as a “shared footpath,” providing a legal right of way.
- One objector claims the applicant does not own the land.
- One objector claims the applicant does indeed own the land.
- The erection of the fence has obstructed long-standing access used to move garden equipment, bins, and maintain garages and boundary walls.
- Objectors argue the alley was actively used for many years and dispute that it was overgrown or redundant.
- The loss of access has led to difficulties with maintenance, encroachment of vegetation, and, in some cases, potential damage to property.
- It is contended that the enclosure represents poor layout, removes reasonable amenity, and should be refused.
- How can the council accept this theft.
- The Council should pull their fingers out and tell this person that what she has done is unacceptable and to put the alleyway back to how it should be.
- I cannot believe the Council would even be considering this proposal.
- Absolutely disgraceful.

Relevant Development Plan Policies:

National Planning Policy Framework (2024) (as amended).

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

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

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

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

The Essex Design Guide (2018).

County Highway Authority's Development Management Policies, adopted as
County Council Supplementary Guidance in February 2011.

RECOMMENDATION: APPROVE

Conditions

1. The development shall only be undertaken in accordance with the following approved plans:

2025/08/12AG Sheets 01-06 dated 07.25

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

2. The external facing materials to be used in the construction of the development hereby permitted, shall be those as listed on the application form and or those shown on the approved plans unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use.

REASON: In order to ensure that the development harmonises with the character and appearance of the existing building, in the interests of visual amenity.

The local Ward Members for the above application are Cllr. Mike Webb, Cllr. Mrs. D. P. Squires-Coleman and Cllr. E. O. Mason.

Application No :	25/00011/FUL Zoning: SER3 – West Hockley
Case Officer	Mr Thomas Byford
Parish :	Hockley Parish Council
Ward :	Hockley
Location :	73 Pond Chase Hockley Essex
Proposal :	Proposed change of use of land to use as residential garden including the construction of decking and installation of new boundary fencing.

1. 73 Pond Chase is a site towards the north west of the Pond Chase Development constructed as part of the allocated site SER3.
2. The red line site relates to a small area of land to the rear of the approved garden area of the dwelling. The applicant has indicated that this land is within their ownership. The application proposes to remove the existing fence, push this back some 4.0m towards the rear boundary and incorporate a deck area in this location. This would not extend right to the rear of the applicant's ownership and stops just short of the brook and tree canopy to the west.
7. It is noted from the Council's allocated plan, that it is unclear as to whether the site indicated within the red line was within the SER3 allocation or is part of the adjacent allocated to the west in which the land lies within the Metropolitan Green Belt.
8. It is noted that applications were received recently at 75, 77 and 79 Pond Chase, and permission was granted for garden extensions similar to what is proposed here.

RELEVANT PLANNING HISTORY

9. Application No. 15/00599/FUL - Erection of 70 Dwellings, Together With Improvements to Existing Access, Pedestrian Access, Car Parking, Landscaping, Open Space, and Related Works – Permitted.
10. Application No 16/00504/DOC - Discharge of Conditions 3 (materials), 4 (landscaping layout), 7 (visitor parking), 8 (external surfacing, 13 (drainage), 14 (road layout), 15 (lighting and drainage), 16 (trees in the highway), 21 (travel pack), 22 (travel plan), 23 (construction management plan), 26 (levels and tree protection), 27 (tree protection), 29 (ecology), 29 (ecological assessment), 31 (ground investigation), 32 (lighting), 38 (surface water drainage), 39 (surface water run off) as attached to approved application 15/00599/FUL - Discharged.

MATERIAL PLANNING CONSIDERATIONS

11. 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.
12. 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).
13. Considering the unknown allocation of the land in question, it is considered necessary to assess the proposal for its acceptability if it were part of the allocated site SER3 and also if it were acceptable in Green Belt terms. If the proposal is acceptable in both regards, the application will be recommended for approval.

Change Use of Land considerations

Acceptability of the proposal if considered within SER3

14. In this case, it is not considered that the land to the rear of the existing garden in question offers any significant or useful purpose, taking into account the SER3 site context as a whole which has been developed. The site is not a grass verge contributing to the design principles which would be reflected in the original layout, nor is it visible from the street scene contributing to visual amenity.
15. It cannot be seen that the adjusting of the boundary fence by a maximum of approximately 4m to the west including the change of use of this land would be detrimental to character (considering its siting to the rear and out of sight from the street scene), residential amenity or cause other significant issues to warrant a refusal of the application.

Acceptability of the proposal if considered within the Green Belt

16. Policy DM22 of the Rochford Council's Development Management Plan states that extensions to domestic gardens onto land within the Green Belt will only be permitted provided that:
 - (i) the proposal includes appropriate boundary treatment and would ensure a defensible and robust Green Belt boundary, for example where the extension would infill the designated residential area in line with other gardens adjacent to the dwelling;

- (ii) the size of the proposed garden extension is not out of proportion with the size of the existing garden;
- (iii) the proposal would not impact on the openness or undeveloped character of the Green Belt through the erection of fences, additional buildings and other built structures.
- (iv) The proposal would not encroach on high quality agricultural land (particularly Grade 1 or 2)
- (v) The proposal would not adversely impact on other areas of open space; and
- (vi) The proposal would not adversely impact on the conservation value or protection of natural areas of local wildlife value, or sites of national and international importance, or the historic environment.

Assessment under Policy DM22

17. Part (i) of Policy DM22 requires a robust, defensible and appropriate boundary treatment. The relocation of this fence is not considered inappropriate and the fence is proposed to remain in the same form as a close boarded fence which was approved as part of the wider existing development. The proposal therefore is considered to comply with part (i) of Policy DM22.
18. In reference to part (ii) of Policy DM22 above, a garden extension that is not out of proportion to the existing residential garden is not objected to and the extension of the garden area does not pose issues in relation to this Policy from the Development Management Plan or the Green Belt aims given in the National Planning Policy Framework. The extension is minimal and therefore the proposal is considered compliant in regard to part (ii) of Policy DM22.
19. Part (iii) states that this garden extension would not be permitted if it is considered to impact the openness or undeveloped character of the Green Belt through the erection of fences, additional buildings and other built structures.
20. In this case, it is considered that the extension is minimal and proportionate and therefore the moving of the boundary fence does not impact the openness of the Green Belt. The land in question is within the applicant's ownership and is not considered to directly contribute to openness considering the the adjacent developed site and context of adjoining residential gardens. The proposal is therefore considered to comply with part (iii) of Policy DM22.

21. The land in question is not high quality (Grade 1 or 2) agricultural land and is not considered to offer significant agricultural value. The proposal would therefore not conflict with part (iv) of DM22.
22. The proposal does not impact or encroach areas of open space. It is considered that this area of land does not offer significant open space value considering its siting and the minimal extension of the garden it is not considered that the proposal would conflict with part (x) of Policy DM22.
23. The proposal is not considered to impact conservation value or protection of natural areas of local wildlife value, or sites of national and international importance, or the historic environment. The proposal does not conflict with Policy DM22 in this regard.
24. Although detail is included within this Policy to condition the removal of permitted development rights for buildings and structures within the curtilage, taking into account this garden extension is only to the depth of approximately 4m and the fact that it cannot be ascertained that this is land allocated with the Metropolitan Green Belt and not within SER3, it is considered unreasonable and unnecessary to condition the removal of permitted development rights taking into account the minimal scale and nature of the proposal.

Acceptability of Proposed Decking

25. The key material consideration of the proposed decking is whether this would provide an unreasonable outlook to the neighbour's rear elevations.
26. Paragraph 135 of the National Planning Policy Framework (2024) (as amended) (NPPF) sets out the key considerations for achieving well-designed places. In particular, part (f) states that planning policies and decisions should ensure developments "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." Accordingly, the NPPF makes clear that protecting the amenity of neighbours and residents is a core planning objective, requiring developments to avoid harmful impacts and to provide a high standard of living conditions for both current and future occupants.
27. In this case, the deck is only provided to allow an even surface due to the dropping of the land level towards the rear boundary and ditch, and to create usable space. This is not shown to be raised above the rest of the land level of the garden and therefore would not provide an unreasonable higher outlook to the rear elevations of neighbours. The site is currently and would be enclosed by a fence of some 2.0m in

height and therefore it is not considered that the proposal would impact the amenity or privacy of neighbouring occupiers unreasonably.

Trees and Ecology

28. There is a tree canopy beyond the rear boundary of the site. The Rochford Council's arboricultural officer has been consulted on the proposal and has concluded that a condition should be imposed on any granting of planning consent, requiring a tree protection plan and arboricultural method statement for the removal of the existing fence, installation of new boundary fence and the construction of the deck area to ensure the trees are not damaged during construction.

Biodiversity Net Gain

29. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. 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). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.
30. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.
31. Following the grant of planning permission where the statutory biodiversity gain condition applies, the developer would be required to apply to the local authority and get the condition discharged prior to commencement of development. At this stage the developer would be required to submit detailed information as to how the minimum BNG net gain requirement would be achieved.
32. At the planning application stage an applicant must indicate whether they consider that the development proposed would be subject to the statutory biodiversity gain condition or not and if not, which of the exemptions would apply.
33. In this case the developer has indicated that the statutory biodiversity gain condition would apply and officers agree.
34. The legislation requires that some BNG information relating to pre-development habitat at the site is submitted with a planning application in order that the application can be validated. The applicant has

submitted this required information. The Essex County Council Place Services ecology team have provided a consultation response following their consideration of the application and the BNG information submitted, and this response is summarised in this report.

35. Officers are satisfied that the required pre-decision BNG information has been submitted and as the proposal is for development to which the statutory biodiversity gain condition would apply, recommend a planning condition to advise any future developer of the need for them to discharge the statutory gain condition prior to the commencement of development.

36. Place Services Ecology have been consulted on the submitted BNG information and have concluded that they are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that there are matters that will need to be considered by the applicant as part of the biodiversity gain condition. It is considered sufficient ecological information has been submitted to determine the application.

Equalities and Diversity Implications

37. 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.

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

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

CONCLUSION

40. APPROVE subject to conditions.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Hockley Parish Council: No comments received.

Rochford District Council Arboricultural Officer: 'As a condition of consent I would recommend the applicant supply a tree protection plan and arboricultural method statement for the removal of the existing fence, installation of new boundary fence and the construction of the deck area to ensure the trees are not damaged during construction.'

Essex County Council Place Services Ecology – No objection subject to conditions.

Essex County Council Sustainable Drainage Team (SuDs Essex) – 'we can confirm that whilst the SuDS Team have no further comments to make, we would strongly encourage the applicant/agent to discuss the proposal further with the Essex Floods Team as the works are in proximity to the existing ditch/watercourse. The Floods Team at Essex County Council can be contacted via floods@essex.gov.uk'

Neighbour representations: Two have been received from the following addresses with comments summarised as follows;

"Clifton" Church Road – The ditch must remain unblocked as it serves as drainage from septic tanks for close by properties.

71 Pond Chase – In support of the proposal.

Relevant Development Plan Policies:

National Planning Policy Framework (2024) (as amended).

Core Strategy Adopted Version (December 2011).

Development Management Plan (December 2014) – Policy DM22.

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

Supplementary Planning Document 2 (January 2007) – Housing Design.

The Essex Design Guide (2018).

Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990.

RECOMMENDATION: APPROVE

Conditions:

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

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

2. The development shall be undertaken in strict accordance with the plans referenced

D25-1009 – 02 dated 13.03.2025

D25-1009 – 01 dated 13.03.2025

Location Plan

Block Plan

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

3. The external facing materials to be used in the construction of the development hereby permitted, shall be those as listed on the application form and or those shown on the approved plans unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use.

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

4. No development (including site clearance, demolition, the removal of the existing fence, installation of a new boundary fence, or construction of the deck area) shall take place until a Tree Protection Plan and Arboricultural Method Statement have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details, with all protective fencing and measures retained for the duration of construction.

REASON: To ensure the protection of the trees beyond the rear boundary during construction, in the interests of visual amenity and to comply with Policy DM25 of the Rochford District Council Development Management Plan.

5. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

6. A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local planning authority, prior to commencement of development, including:
 - a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
 - c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
 - d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
 - e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

REASON: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

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

Application No:	25/00482/FUL Zoning: Rochford Town Centre and Rochford Conservation Area
Case Officer	Mr Duncan Law
Parish:	Rochford Parish Council
Ward:	Roche South
Location:	47 - 49 West Street Rochford Essex
Proposal:	Change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit

SITE AND PROPOSAL

1. The application seeks full planning permission for a change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. 2 bed residential unit.
2. The vacant application site forms part of the group listing for the Grade II listed Nos. 45, 47 and 49 West Street, a row of eighteenth- to nineteenth-century shops constructed in gault brick with a grey slate roof hipped to the right (List Entry No. 1112569). The site is also located within the Rochford Conservation Area and Rochford the Town Centre Area Action Plan (AAP) in the central AAP Character area and the West Street and Market Square Conservation Area Character area. The surrounding area is of a mixed character with a commercial, retail, residential and leisure uses all within the immediate vicinity. A large public car park (Back Lane) is to the rear of the site to the south.
3. A Listed Building application has also been made in respect of the proposed works under reference 25/00483/LBC. The Historic England listing states:

ROCHFORD WEST STREET TQ 8790 NE/SE (south side) 15/271 & 16/271 Nos. 45, 47 and 49 (Odd) 23.7.73 GV II Row of shops. C18/C19. Gault brick. Grey slate roof hipped to right. 2 rear chimney stacks. 2 storeys. 4 first floor small paned vertically sliding sashes.

Nos. 45 and 47 to left with continuous fascia and cornice above shop fronts, each with a door to left of a single pane shop window. Moulded sills. End and door pilasters with capitals and bases. Fanlights over part glazed doors. To right is a round headed doorway with keystone. Ornate tracery to semi-circular fanlight. C20 door. No. 49. C20 recessed shop front window to left door to right with fanlight over.

RELEVANT PLANNING HISTORY

4. Application No. 25/00507/LBC - Change of use of the building from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit – Pending decision.
5. Application No. 25/00506/FUL - Change of use of the building from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit.
6. Application No. 25/00483/LBC - Change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit. Pending decision.

MATERIAL PLANNING CONSIDERATIONS

7. 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.
8. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014). The site falls within Rochford Town Centre, where policies from the Development Management Plan, Core Strategy and the Rochford Area Action Plan 2014 are applicable.
9. Policy RTC5 of the Core Strategy seeks to produce an Area Action Plan for Rochford Town Centre which delivers an enhanced retail offer for Rochford. The Council's 2014 Rochford Town Centre Area Action Plan (RTCAAP) policies set out local requirements to ensure the success of this centre and has a character area-led approach. Back Lane is located within the Rochford Town Centre Area Action Plan in the central AAP Character area and the West Street and Market Square Conservation Area Character area.
10. Policy 6 – Character Area A: Central Area of the AAP states that development in the central area will support and strengthen the retail function and character of the area. Policy 6.1 requires new development to respond positively to local townscape character and protect and enhance this character.

11. Policy DM35 – Upper Floor Locations in Town Centres of the Development Management Plan (2014) states that the ‘Council will permit the use of the upper floors of shops and other commercial premises in town centres for residential purposes. Permission will be granted, where appropriate, to ensure that accommodation is self-contained and suitably located with separate access from the street and that such accommodation provides a satisfactory standard of residential convenience and amenity.’
12. The site is located within a Secondary Shopping frontage area however, the first floor is not subject to the same protective considerations for Class E uses that we would see for the ground floor units fronting 47-49 West Street. The proposed conversion would however result in the loss of employment space (office) and in their consultation response, Economic Regeneration officers noted that the site ‘could have otherwise been occupied by a business, contributing to employment, footfall and vitality within the wider town centre. As such, it would be prudent for the applicant to demonstrate that the offices have been appropriately marketed as available for lease for the period of 12 months they have been vacant.’ In response, vacancy and marketing evidence was provided by the applicant that highlighted that the first-floor offices have been marketed as vacant for over 2 years with no take up.
13. As such, there is support for the conversion of upper floors to residential use in the town centre area that will not result in the loss of any retail space as proposed which is, on balance, acceptable subject to the material considerations below.

Impact on Layout, Character and Design

14. 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 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 the Council’s Supplementary Planning Document 2 (SPD2). 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 and regard must also be had to the detailed advice and guidance in SPD2, as well as to the Essex Design Guide. SPD2 is however, mute on any design implications of conversions as proposed.

15. The government approach at paragraph 135 (a) – (d) of the revised National Planning Policy Framework (2024) (as amended) (NPPF) attaches great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality to the overall area; not just for the short term but over the life time of a development; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the built environment and landscape setting, whilst not discouraging appropriate innovation and change (such as increased densities) and establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit.
16. The proposal would sympathetically convert the first floor of an existing listed building with specific detailing to be secured through an application for Listed Building consent reference 25/00483/LBC so would not have any considerable impact on local character.
17. The proposal seeks a change of use only for the existing offices to a residential use with no external changes proposed in a mixed-use area of retail, commercial and retail. As such the proposals under consideration are in accordance with policy DM1 that seeks to ensure that buildings are harmonious in character, scale, form and proposed materials, have an acceptable relationship with adjacent properties and have an acceptable visual impact in terms of the street scene. There is further compliance with policy DM35 of the Development Management Plan as the accommodation is self-contained with an independent and separate access from the street.

Effect on heritage assets - conservation area, setting of listed buildings

18. The buildings subject to the application are within the Rochford Conservation Area and are Grade II Listed Buildings. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be given to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area. Policy ENV1 of the Core Strategy promotes the protection and enhancement of the natural landscape and habitats and the protection of historical and archaeological sites. With regard the revised NPPF, section 16 sets out the government's approach on conserving and enhancing the historic environment.
19. The proposed development will result in effects to the heritage significance of the listed building through alterations to their fabric, fittings and fixtures.

It is considered however that the proposal would not remove any identified heritage asset or result in significant harm to the historic fabric of the listed buildings or their setting. The councils' Heritage Consultant is supportive of the repair of the listed buildings

through a sympathetic set of proposals that are not considered to cause harm to the fabric or special interest of the Listed Building nor adversely affect the wider Conservation Area. The council's Heritage Consultant has been consulted on this application and the accompanying Listed Building application and, following the submission of amended drawings, has raised no objection. Furthermore, district officers take the view that the original upper use of the building was most probably residential. The best use of an historic building is usually it's the original use for which it was intended. The proposal would reinstate that use.

20. As a result, it is considered that the proposal will lead to less than substantial harm to the host listed buildings, as a result of the continued use of the building, it is considered that there is public benefit from the proposal in accordance with paragraph 203 of the NPPF. In making this assessment, it is considered that the proposed development would comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework, specifically paragraph 203 and Policy ENV1 of the Core Strategy.

Impact on Residential Amenity

21. At paragraph 135 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users'. Policy DM1 of the Development Management Plan seeks to ensure that new developments avoid overlooking, ensuring privacy, and promoting visual amenity, and create a positive relationship with existing and nearby buildings. The Councils Supplementary Planning Document 2 (SPD2) Housing design contains guidance relating to the density of conversion proposals in relation to surrounding properties. Proposals which will result in over-development or unreasonably high density compared to the surrounding area will not be acceptable. Given the location within the town centre, the dwellings however are densely compact and there is little separation.
22. The development involves minimal physical external changes negating any overshadowing or overbearing concerns and no fenestration is proposed. No objections have been received from neighbouring properties and taking the above considerations into account, the application is considered to be acceptable with respect to residential amenity issues and as such complies with Policy DM1 of the Development Management Plan.

Housing Mix

23. Policy H5 of the Core Strategy (2011) requires new dwellings to contain a mix of dwelling types. The proposal would provide 1 No. two bedroomed flat which would not result in an over concentration of one dwelling type and is considered to further add to the dwelling mix in a accord with policy H5.

Amenity space & Refuse

24. SPD2 requires that flats, when built, are provided with a minimum balcony area of 5m² with ground floor dwellings having a minimum patio garden of 50m² or the provision of a useable communal resident's garden on the basis of a minimum area of 25m² per flat and that these methods can be combined. SPD2 is however, mute on any amenity space implications of conversions as proposed. The Essex Design Guide advocates every home having the benefit of some individual private or communal private amenity space which can include balconies. Given that the proposal involves the conversion of an existing building within a town centre and a larger garden space would not be possible on the site this is not considered sufficient reason to warrant refusal. Furthermore, the site is within short walking distance of informal public open space at Rochford Reservoir and Millview Meadows.
25. All developments must provide a dedicated storage area for waste and recycling containers. All enclosures and storage areas should be located or constructed within the property boundary and be visible and easily accessible to users/residents in order to encourage use. Appendix 1 of the Development Management Plan (2014) dictates the refuse requirements of new developments to help developers to deliver efficient, adaptable storage facilities for recyclable materials and waste. Storage facilities must meet the needs of today's recyclable material markets, waste collection operations and be flexible enough to meet the demands of the future, facilities should be easily serviced and are no more than 10 metres from the closest point of access for a refuse collection vehicle. It is important that all waste services are provided in a manner that delivers safe and efficient working practices. In this instance an integral shared bin storage area is proposed with external access to the street, ensuring that it is an accessible and functional location. In terms of capacity, the application proposes the below provision to be shared with the dwelling under 25/00482/FUL - Change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit that has been found to acceptable to the Council's Principal Streets and Recycling Officer:

- 1 x 360ltr refuse
- 1 x 360ltr recycling and
- 1 x 140ltr compostable bin

Technical Housing Standards

26. The Ministerial Statement of 25 March 2015 announced changes to the government's policy relating to technical housing standards. The changes sought to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard. 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. Until such 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.
27. A 2 bedroomed four-person single storey dwelling is required to be 70 sqm plus 2 sqm of storage, the submitted plan shows a dwelling of 67.6 sqm with 2 sqm of storage that is 2.4 sqm deficient when compared with the Technical Housing Standards however this shortfall is not considered sufficient to warrant refusal in light of the public and heritage benefits of returning a vacant listed building into its originally intended residential use.

Parking and Highway Safety

28. Policy DM1 of the Council's Development Management Plan 2014 requires sufficient car parking to be provided with new developments and policy DM30 of the Development Management Plan 2014 requires development proposals to provide sufficient parking facilities having regard to the Council's adopted parking standards as set out within the Parking Standards Design and Good Practice guide (2010).
29. Policy T8 of the Core Strategy 2011 also refers to parking requirements advising that relaxation of the requirements is possible for town centre locations and sites close to the train stations. The 2024 Essex Parking Guidance Part 1: Parking Standards Design and Good Practice was published in September 2024. As per Figure 2-1: Connectivity levels throughout Essex, Rochford is considered to have 'good connectivity'. The application proposes the construction of one two bedroomed flat that triggers a parking space requirement of 1 plus 0.25 visitor spaces. No parking is proposed.
30. 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. The town centre location of the site is adjacent to Back Lane public car park and when considered with the sustainable location of the site near to services and

public transport as agreed by Essex County Council Highways officers, the proposal is considered acceptable and compliant with Policy DM1 and policy DM30 of the Development Management Plan 2014, Policy T8 of the Core Strategy 2011, paragraph 113 of the NPPF and the parking standards for Essex (Parking Standards Design and Good Practice 2024).

Ecology

31. Policy DM27 of the Development Management Plan states that proposals should not cause harm to priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Development will only be permitted where it can be demonstrated that the justification for the proposal clearly outweighs the need to safeguard the nature conservation value of the priority habitat, and/or the priority species or its habitat.
32. The revised NPPF at chapter 15 'protect and enhance biodiversity and geodiversity' sets out government views on minimizing the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.
33. Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. In England, BNG was mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.
34. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. It is noted however that there are statutory exemptions which mean that the biodiversity gain condition does not always apply. Based on the information available this application is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the development hereby approved is considered to meet the de minimis threshold, meaning development which:
 - does not impact an on site priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric). Therefore, as the development does not impact an on site priority habitat and there is less than 25 square metres of onsite habitat, Schedule 7A is not triggered in this instance.

35. As a result, it is considered that there will not be any significant impacts to protected species or habitats as result of the limited development and as such the proposal would not conflict with Policy DM27 of the Council's adopted Development Management Plan.

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMs)

36. The Council have adopted a Supplementary Planning Document relating to mitigating cumulative impacts from residential development in the district on the sites of European ecological importance along the district's coastline. The application site is 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 (SPA and RAMSAR). 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. To accord with Natural England (NE) requirements and standard advice and Essex Coastal Recreational Disturbance Avoidance and Mitigation Strategy (RAMs), a Habitat Regulations Assessment (HRA) record is required to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European Site in terms of increased recreational disturbance. New residential development usually mitigates impact by way of a financial contribution per dwelling of £169.45 which has been received from the applicant.
37. 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.

EQUALITIES AND DIVERSITY IMPLICATIONS

38. 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.

39. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
40. 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

41. APPROVE subject to conditions.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: No comments received.

Neighbour representations: No comments received.

Essex County Council Place Services Built Heritage Consultant: No objections.

Initial comments received 13th August 2025 -

The application is for Change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit. The proposals would potentially result in a level of less than substantial harm to the significance of the Grade II listed 47-49 West Street. In addition, there is insufficient information regarding the significance of the internal walls proposed for removal and the historic plan form of the first floor. As a result, Paragraph 215 and Paragraph 207 of the NPPF are relevant.

The level of harm identified should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this assessment of the balance between harm and public benefit, “great weight” is to be given to the conservation of the heritage asset, in accordance with Paragraph 212 of the NPPF.

For a fuller detailed description of my concerns regarding the impact of this proposal on the significance of the listed building, please see my response letter to the accompanying Listed Building Consent application (25/00483/LBC), dated 6th August 2025.

Final comments received following the submission of amended drawings 01st October 2025

Following my previous comments, revised plan drawings and an amendment to the Heritage Statement has been made, which starts that “Wherever possible, the existing fabric will be retained, including original ceilings, floorboards, and internal features of historic interest. The proposed layout has been revised with a clear intention to minimise disturbance to the listed building. Internal alterations are limited to what is absolutely necessary to provide a functional and viable residential unit.”

The revised plans show that the internal partition walls, which define the historic plan form of the first floor, will be retained. Existing doors are to be retained and fixed in position, with one removed to ensure compliance with fire safety regulations. Ideally if this removed door is historic, it should be retained and relocated to be reused elsewhere in the development if possible. A small partition wall will be installed to form a bedroom cupboard. Overall, the emended scheme is far more sympathetic and retains the surviving historic plan form of the building. Therefore, I have no further objections.

Rochford District Council Economic Regeneration: No objection.

Being on the upper floor, with the ground floor retail units on West Street to be retained, it is considered that this proposal accords with the policies set out in the AAP, as well as Policy DM35 of the Development Management Plan (Upper Floor Locations in Town Centres).

Essex County Council Highways: Not consulted, below comments received in relation to 25/00506/FUL.

The information that was submitted in association with the application has been fully considered by the Highway Authority. A zero-car parking standard has been applied. The local highway network is protected by parking restrictions. In transport terms, the site is considered to be in a sustainable location close to all of Rochford's Town Centre's facilities including frequent and extensive public transport that are all within walkable distance. Therefore: From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. Prior to first occupation, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

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

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and the NPPF 2024.

Informative:

- Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.
- The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

**Rochford District Council Principal Streets and Recycling Officer,
Environmental Services:** No objection

For the 2 buildings, if they have no room for storage to the rear then I would suggest the properties share the bins which would be 1 x 360ltr refuse and 1 x 360ltr recycling and a 140ltr compostable bin. The collections would be from Back Lane, bins out by 7am on a Thursday.

If there is room to the rear for 1 set then another could go in Back Lane but this isn't ideal due to the cars driving down the lane but as we saw on google maps it seems most properties leave the bins outside so don't know how you would say no to them.

No bins would be able to be left in West Street or put out for collection in West Street either

Relevant Development Plan Policies:

National Planning Policy Framework (2024) (as amended).

Core Strategy Adopted Version (December 2011) – Policies RTC5, CP1, ENV1, ENV9, H5, H6, T8.

Development Management Plan (December 2014) -Policies DM1, DM4, DM27, DM30, DM35.

Rochford Town Centre Area Action Plan (2014)– Policy 6.

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

Supplementary Planning Document 2 (January 2007) – Housing Design The Essex Design Guide (2018)

Planning (Listed Buildings and Conservation Areas Act) 1990

RECOMMENDATION: APPROVE

Conditions:

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

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

2. The development shall be constructed in accordance with the following approved plans:

Received 11th July 2025
Dwg. 25.164/02 Elevations 1/2

Received 26th September 2025
Dwg. 25.150/03 Rev A Elevations 2/2
Dwg. 25.150/04 Rev F Proposed Floor Plans
Dwg. 25.150/05 Rev A Location Information

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

3. Prior to first occupation, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8

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

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

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

Application No:	25/00483/LBC Zoning: Rochford Town Centre and Rochford Conservation Area
Case Officer	Mr Duncan Law
Parish:	Rochford Parish Council
Ward:	Roche South
Location:	47 - 49 West Street Rochford Essex
Proposal:	Change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 no. residential unit

SITE AND PROPOSAL

1. Listed Building consent is sought for a change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit.
2. The vacant application site forms part of the group listing for the Grade II listed Nos. 45, 47 and 49 West Street, a row of eighteenth- to nineteenth-century shops constructed in gault brick with a grey slate roof hipped to the right (List Entry No. 1112569). The site is also located within the Rochford Conservation Area and the Rochford Town Centre Area Action Plan in the central AAP Character area and the West Street and Market Square Conservation Area Character area. The surrounding area is of a mixed character with commercial, retail, residential and leisure uses all within the immediate vicinity. A large public car park is behind the site to the south. A planning application has also been made in respect of the proposed works under reference 25/00483/FUL.
3. The Historic England listing states:

ROCHFORD WEST STREET TQ 8790 NE/SE (south side) 15/271 & 16/271 Nos. 45, 47 and 49 (Odd) 23.7.73 GV II Row of shops. C18/C19. Gault brick. Grey slate roof hipped to right. 2 rear chimney stacks. 2 storeys. 4 first floor small paned vertically sliding sashes. Nos. 45 and 47 to left with continuous fascia and cornice above shop fronts, each with a door to left of a single pane shop window. Moulded sills. End and door pilasters with capitals and bases. Fanlights over part glazed doors. To right is a round headed doorway with keystone. Ornate tracery to semi-circular fanlight. C20 door. No. 49. C20 recessed shop front window to left door to right with fanlight over

RELEVANT PLANNING HISTORY

4. Application No. 25/00506/FUL - Change of use of the building from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit – Pending decision.
5. Application No. 25/00482/FUL - Change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit. Pending decision.
6. Application No. 25/00507/LBC - Change of use of the building from offices (Class E) to residential (Class C3) with internal alterations to form 1 No. residential unit. Pending decision.

MATERIAL PLANNING CONSIDERATIONS

7. 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.

8. 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). Furthermore, assessment against the Planning (Listed Buildings and Conservation Areas) Act 1990 is required. The proposal raises the following main issues:
 - impact of the proposal on the Special Interest of the Listed Building and Conservation Area;
9. The buildings subject to application are within the Rochford Conservation Area and are Grade II Listed Buildings. Paragraph 203 of the NPPF (National Planning Policy Framework 2024 (as amended)) states that: 'plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should consider:
 - (a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
 - (b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - (c) the desirability of new development making a positive contribution to local character and distinctiveness; and
 - (d) opportunities to draw on the contribution made by the historic environment to the character of a place.'
10. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be given to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area. Policy ENV1 of the Core Strategy promotes the protection and enhancement of the natural landscape and habitats and the protection of historical and archaeological sites. With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment.
11. The facades will be subject to appropriate joinery repairs and redecoration to the existing windows, doors and surrounds that are proposed thereby preserving the building and its setting including features of architectural and historic interest that are presented to the surrounding conservation area.

12. The proposed development will result in effects to the heritage significance of the listed building through alterations to their fabric, fittings and fixtures and amendments to layout through the removal of walls. It is considered however that the proposal would not remove any identified heritage asset or result in significant harm to the historic fabric of the listed buildings or their setting and will return the first floor to its original intended residential use.
13. The councils' Heritage Consultant is supportive of the repair of the listed building through a sympathetic set of proposals that are not considered to cause harm to the fabric or special interest of the Listed Building nor adversely affect the wider Conservation Area. Following amended plans and Heritage statement, the council's Heritage Consultant has been consulted on this application and the accompanying Listed Building application and has raised no objection as 'the amended scheme is far more sympathetic and retains the surviving historic plan form of the building'.
14. As a result, it is considered that the proposal will lead to less than substantial harm to the host listed buildings. As a result of the continued use of the building, it is considered that there is public benefit from the proposal in accordance with paragraph a) to d) 203 of the NPPF. In making this assessment, it is considered that the proposed development would comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework, specifically paragraph 203 and Policy ENV1 of the Core Strategy.

EQUALITIES AND DIVERSITY IMPLICATIONS

15. 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.
16. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
17. Taking account of the nature of the proposed development and representations received, it is considered that the proposed development

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

CONCLUSION

18. Grant Listed Building Consent.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: No comments received.

Neighbour representations: None received.

Essex County Council Place Services Built Heritage Consultant: No objections.

Initial objection comments received 08th August 2025

The application is for Proposed change of use of the first floor from offices (Class E) to residential (Class C3) with internal alterations to form 1 no. residential unit

Along with number 45, numbers 47-49 West Street are Grade II listed (List Entry Number: 1112569) and date to the late eighteenth to early nineteenth century and were built as shops with residential accommodation above. The ground floors are in separate retail use and other than the access and staircase from the street, they do not form part of this application. The Site is also within the Rochford Conservation Area and the listed building makes a highly positive contribution to the area's character and special interest. The significance of a listed building is derived from a number of different features and attributes such as its historic fabric, its aesthetic or artistic value, its surviving historic plan form and the legibility of its phases of development and use. It may also derive significance from its setting. The proposal would see the cessation of office use and a return to the original, residential use for the first floor of the building. Externally, no alterations are proposed and there would be no impact on the Conservation Area. Internally, partition walls are to be removed, while new partition walls are to be 'reversible'.

While the return to an original residential use for the first floor would be welcomed and the principle behind the residential reuse of the building is acceptable, I have concerns regarding the loss of internal partition walls and doors, the significance of which has not been adequately discussed in the accompanying Heritage Statement. Paragraph 207 of the NPPF states that applicants are required to describe the significance of any heritage assets affected to a proportionate level of detail and to a level sufficient to understand the potential impact of the proposal on their significance.

While the Design and Access Statement states, "a limited number of internal walls and doors are to be removed to accommodate the new layout", no assessment of the significance of the fabric and features to be lost has been provided. No internal photographs showing the walls

and doors to be removed has been provided. The extent of walls to be lost is not 'limited' but considerably extensive and the changes would significantly alter the existing plan form. If the walls and doors are historic (that is, if they pre-date the mid-twentieth century) they contribute to the overall significance of the listed building and their loss would result in a level of harm that could not be supported from a heritage perspective. From the existing plans provided, the walls to be removed can be seen to define the first-floor rooms and spaces. The proposals would see the radical alteration of this historic plan form to provide an open-plan kitchen diner. While such spaces are currently desirable in modern homes, their introduction into historic and listed buildings is generally highly problematic, due to the extent of fabric that must be sacrificed to achieve it. The loss of walls of lath and plaster and traditional timber panelled doors is not acceptable. Only the removal of modern fabric of no significance, such as plasterboard and stud partitions would be appropriate.

I have concerns that the design approach is back-to-front in this case, forcing harmful change onto the listed building to achieve a desired layout, rather than retaining and working with the surviving historic plan form of the building. The lack of details regarding the existing internal partitions and doors in the Design and Heritage Statement reinforces my concerns in this regard.

The application lacks sufficient detail, contrary to Paragraph 207 of the NPPF. In addition, I have concerns over the extent of the proposed loss of fabric and features and the harmful alteration of the building's historic plan form. It will be necessary for an application for alterations and change in use, to demonstrate the approach is fully sympathetic to the significance of the listed building.

Notwithstanding the lack of detail in the application, the scheme has the potential to result in a level of less than substantial harm to the significance of the Grade II listed 47-49 West Street. As a result, Paragraph 215 of the NPPF is relevant, which states that the level of harm identified should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this assessment of the balance between harm and public benefit, "great weight" is to be given to the conservation of the heritage asset, in accordance with Paragraph 212 of the NPPF

Final comments received following the submission of amended drawings 01st October 2025

Following my previous comments, revised plan drawings and an amendment to the Heritage Statement has been made, which starts that "Wherever possible, the existing fabric will be retained, including original ceilings, floorboards, and internal features of historic interest. The proposed layout has been revised with a clear intention to minimise disturbance to the listed building. Internal alterations are limited to what is absolutely necessary to provide a functional and viable residential unit."

The revised plans show that the internal partition walls, which define the historic plan form of the first floor, will be retained. Existing doors are to be retained and fixed in position, with one removed to ensure compliance with

fire safety regulations. Ideally if this removed door is historic, it should be retained and relocated to be reused elsewhere in the development if possible. A small partition wall will be installed to form a bedroom cupboard. Overall, the emended scheme is far more sympathetic and retains the surviving historic plan form of the building. Therefore, I have no further objections.

Essex County Council County Archaeologist:

The building proposed for alteration is Grade II listed (LUID 1112569) and is located within the medieval historic core of Rochford (EHER 13579). The building has origins dating back to the eighteenth or nineteenth century and can be seen on the Tithe map of 1838 and later seen on the first edition Ordnance Survey map of 1877. The building has the potential to contain fixtures, fittings or fabric that relate to its previous uses, origin, evolution and development, and other evidence such as re-used timbers or other structural elements.

Given the programme of alterations proposed to the structure, particularly the demolition of internal walls, which may be of original origin, in line with paragraph 218 of the NPPF a Historic Building Recording (HBMR) should be carried out prior and during the proposed works at 47-49 West Street, Rochford.

Historic Building Recording

(1) No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a Written Scheme of Investigation (WSI) to be submitted by the applicant for approval by the Local Planning Authority.

(2) No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI submitted.

(3) The applicant will submit a report detailing the results of the recording programme to the Local Planning Authority for approval and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority.

Relevant Development Plan Policies:

National Planning Policy Framework 2024 (as amended).

Rochford District Council Local Development Framework
Core Strategy Adopted Version (December 2011) – Policy ENV1.

Planning (Listed Buildings and Conservation Areas Act) 1990

RECOMMENDATION: Approve.

Conditions:

1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.

REASON: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby approved shall be carried out in accordance with the following plans and drawings:

Received 11th July 2025
Dwg. 25.164/02 Elevations 1/2

Received 26th September 2025
Dwg. 25.150/03 Rev A Elevations 2/2
Dwg. 25.150/04 Rev F Proposed Floor Plans
Dwg. 25.150/05 Rev A Location Information

REASON: To define the consent and to conform with the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990.

3. No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a Written Scheme of Investigation (WSI) to be submitted by the applicant for approval by the Local Planning Authority.
4. No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI submitted.
5. The applicant shall submit a report detailing the results of the recording programme to the Local Planning Authority for approval and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority.

REASONS 3, 4 and 5: To allow proper investigation and recording of the site, which is of archaeological and/or historic significance.

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

Application No :	25/00587/FUL Zoning : MGB
Case Officer	Mr Thomas Byford
Parish :	Hockley Parish Council
Ward :	Hockley
Location :	Unit 1 Wadham Park Farm Church Road
Proposal :	Erection of 2 self-build dwellings and associated vehicular access, parking and landscaping

SITE AND PROPOSAL

1. The site is located at Unit 1, Wadham Park Farm, situated on the western side of Church Road, Hockley. The site lies outside any defined residential settlement boundary and is designated as part of the Metropolitan Green Belt. As such, it is subject to national and local policy constraints aimed at preserving the openness and permanence of the Green Belt.
2. The surrounding area is rural in character, consisting of open fields, scattered dwellings, and agricultural and commercial buildings forming part of the wider Wadham Park Farm area. The site is accessed via a private track leading from Church Road, a rural lane.
3. Planning permission was granted under application reference 23/00474/FUL for the demolition of an existing outbuilding and the erection of a detached single-storey three-bedroomed bungalow with associated access and parking at Unit 1, Wadham Park Farm. The approved dwelling is located within the Metropolitan Green Belt and was considered acceptable in terms of design, scale, and siting, having regard to its replacement of an existing structure and limited impact on the openness of the Green Belt. The proposal included the formation of a new vehicular access and provision of on-site parking within a modest residential curtilage.
4. The development approved under application 23/00474/FUL was assessed against the National Planning Policy Framework (NPPF) as it stood prior to the 2024 revisions. At that time, paragraph 149(g) of the NPPF identified one of the exceptions to inappropriate development in the Green Belt as the limited infilling or the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use (excluding temporary buildings), provided that the proposal would not have a greater impact on the openness of the Green Belt than the existing development. In this case, the site was considered to constitute previously developed land, and the replacement of the existing building with a single-storey bungalow of similar scale and footprint was deemed not to result in greater harm to the openness or purposes of the Green Belt. The proposal was therefore found to comply with national policy in effect at the time of determination.

5. The site is not within a Conservation Area and is not in the immediate setting of any designated heritage assets. However, it lies in an area where the planning policy framework seeks to protect the openness of the Green Belt and maintain the predominantly undeveloped character of the landscape.

6. A site visit was conducted as part of pre-application advice during which it was observed that the structure previously occupying the site-relied upon in the earlier application (23/00474/FUL) to establish the site's status as previously developed land (PDL) has been fully demolished. As a result, the physical presence of the former building no longer contributes to the assessment of openness and the site now presents as a cleared plot with no remaining built form.

7. Under the current National Planning Policy Framework (NPPF), revised in February 2025, paragraph 154(g) allows for the partial or complete redevelopment of previously developed land (PDL) in the Green Belt, provided that the development would not cause substantial harm to the openness of the Green Belt. This exception applies only where there is a clear presence of existing built form on the site that can be assessed in terms of scale, massing, and spatial impact.

8. In this case, as stated above, the structure that previously stood on the site and was relied upon in the assessment of application 23/00474/FUL to establish the site's status as PDL has now been fully demolished. As a result, there is no longer a physical baseline against which to assess whether any new proposal would have a greater or lesser impact on openness.

9. Given the absence of any remaining structure, the site no longer qualifies for consideration under the exception in paragraph 154(g) of the 2024 NPPF (as amended).

10. As there is no existing built form remaining on the land, the proposal must be considered in relation to the open and undeveloped character of the site as it currently stands. However, in assessing the planning merits, regard will also be had to any potential fallback position arising from the extant planning permission granted under application 23/00474/FUL. This includes consideration of whether there is a realistic prospect of that permission being implemented and whether the approved scheme provides a credible basis for comparison in terms of scale, form and impact on the Green Belt.

RELEVANT PLANNING HISTORY

11.Application No. 23/00474/FUL - Erection of a detached, 3-bed bungalow with associated access and car parking, involving demolition of existing outbuilding. – Permitted.

12.Application No. 24/00836/DOC - Discharge of condition no 3 (external materials) and no 6 (hard or soft landscaping) of planning permission 23/00474/FUL dated 26/07/2023 – Permitted.

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).

Green Belt considerations

15.The application site is located within the designated Metropolitan Green Belt, as identified in the Council's adopted Allocations Plan (2014), therefore the proposed development needs to be assessed against local Green Belt policies and in relation to the National Planning Policy Framework (2024) (as amended)(NPPF). There is a general presumption against inappropriate development within the Green Belt and development should not be approved except in very special circumstances. Policies GB1 and GB2 of the Council's Core Strategy seek to direct development away from the Green Belt as far as practicable and prioritise the protection of the Green Belt based on how well the land helps achieve the purposes of the Green Belt. The Planning Practice Guidance (PPG) indicates that when assessing the impact of a development on the openness of the Green Belt, the duration of the development and the degree of activity it would be likely to generate, are matters to take into consideration.

16.Paragraph 153 of the revised NPPF (2024 as amended) states that when considering proposals affecting the Green Belt, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by way of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Development in the Green Belt is considered

inappropriate unless one of the exceptions identified in paragraphs 154 or 155 of the NPPF applies.

17. The proposal does not meet any of the exceptions to inappropriate development in the Green Belt as set out in paragraph 154 of the 2024 National Planning Policy Framework (NPPF). The site no longer qualifies as previously developed land under paragraph 154(g), as the structure that previously occupied the site and formed the basis of the earlier PDL assessment has since been demolished. Furthermore, the proposal does not meet the exception at paragraph 154(e), which allows for limited infilling in villages. The site lies outside of any defined settlement boundary and is not situated within a village or a continuous built-up frontage that would reasonably constitute an infill plot. Wadham Park Farm is a dispersed cluster of buildings in a rural location, physically and functionally separate from the built-up area of Hockley. The surrounding context is open and agricultural in character, and the proposed development would not fill a small gap between existing residential properties within a recognised village setting. As such, the development does not fall within any of the defined exceptions in paragraph 154 and is therefore considered inappropriate development in the Green Belt.

Fall Back Position

18. While the proposal does not meet any of the exceptions to inappropriate development in the Green Belt set out in paragraph 154 or qualify for appropriate development in the Green Belt under paragraph 155 of the NPPF, consideration has also been given to whether there is a material fallback position that may weigh in favour of the proposal.

19. Planning permission was previously granted under reference 23/00474/FUL for the erection of a single dwelling on the site, and that permission remains extant and capable of implementation. The existence of this consent is a material consideration and, in some cases, may provide justification for an alternative scheme where there is a realistic prospect of the fallback being implemented and where the proposed development would not result in substantial harm.

20. In this case, the fallback position relates to a single detached dwelling, whereas the current proposal seeks to introduce two detached dwellings. The revised plans demonstrate that the combined footprint of two proposed dwellings could match that of the previously approved single dwelling under application reference 23/00474/FUL. This revised approach is intended to establish a robust fallback position, whereby the overall scale, spread, and built volume of the new proposal does not exceed what has already been accepted in principle on the site.

21. In these circumstances, where the development would result in no greater harm to the openness of the Green Belt than the fallback scheme, and where there is a realistic prospect of the fallback being implemented if permission were not granted, the fallback position may

be given significant material weight. Provided that the design, siting, and layout of the two dwellings are carefully considered to avoid any visual intensification or suburbanisation of the site, and the overall impact remains comparable to the approved development, the Local Planning Authority may consider the revised scheme acceptable in planning terms.

22. In such cases, the fallback position can form part of a balanced assessment where the development is not compliant with Green Belt policy in principle, but where no additional harm is introduced beyond what has already been permitted. This may allow the proposal to be supported, subject to all other material planning considerations being satisfactorily addressed.
23. The revised proposal for two dwellings has been carefully assessed against the approved single dwelling (ref: 23/00474/FUL). The combined footprint of the two proposed units amounts to approximately 196.4m², which closely matches the footprint of the approved dwelling at 196.29m². Both dwellings are single-storey in height and adopt pitched roofed forms with ridge heights that do not exceed that previously approved. As such, the overall scale, height, and massing of the two dwellings are not considered to result in a materially greater volume or impact on the openness of the Green Belt when compared to the fallback position. This revised scheme is therefore considered to present a credible fallback in support of an appropriate Green Belt argument under paragraph 154(g) of the NPPF and very special circumstances demonstrated.

Design and Impact on Character

24. Chapter 12 of the 2024 National Planning Policy Framework (as amended) (NPPF) emphasises the importance of high-quality, well-designed and sustainable places. Paragraph 130 requires that developments are visually attractive, function well over time, and respond to local character and setting. Paragraph 134 further advises that poorly designed development should be refused, particularly where it fails to reflect local design policies or guidance, while significant weight should be given to proposals that demonstrate good design, sustainability, or design innovation that respect its context.
25. These principles are supported at the local level by the Council's Core Strategy Policy CP1 and Development Management Plan Policy DM1, which require development to respect local character, scale and form. Policy DM30 further seeks to ensure that development in rural areas protects landscape character. The Council's Supplementary Planning Document 2: Housing Design (SPD2) also provides guidance on appropriate rural design and site layout.
26. The layout respects the rural grain of the wider Wadham Park Farm area, with sufficient separation between the units.

27. The revised proposal would also introduce two single-storey dwellings which however, in combination, reflect the same overall footprint as the previously approved single dwelling under application 23/00474/FUL. The proposed design retains a modest and appropriate form, with traditional roof design and external materials that respond well to the semi-rural character of the area. The dwellings are well-spaced within the plot, and their appearance remains consistent with what was previously submitted, without introducing any new design concerns. The layout and architectural approach are considered to remain acceptable in line with Policy DM1 and the design objectives of Chapter 12 of the NPPF.

Impact on Residential Amenity

28. Paragraph 135(f) of the National Planning Policy Framework (2024) (as amended) seeks to ensure that developments 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 of the Council's Development Management Plan, which requires new development to avoid overlooking, maintain privacy, promote visual amenity, and establish a positive relationship with nearby buildings.

29. The dwellings would be well positioned with adequate separation between each other and from adjacent land. Their single-storey form and low-profile rooflines help ensure the development would sit comfortably within its surroundings.

30. The dwellings remain single-storey in scale, which significantly reduces the potential for overbearing impact, overshadowing, or overlooking of nearby properties. The proposed siting of the dwellings ensures sufficient separation and each unit would provide a high standard of internal and external living environment. There would be no unacceptable harm to the amenity of existing or future occupiers. The proposal is therefore considered to comply with Policy DM1 and paragraph 135(f) of the NPPF in respect of amenity.

Refuse and Waste Storage

31. The Council operates a 3-bin system per dwelling consisting of a 240l bin for recyclate (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).

32. The Council operate a 3-bin refuse and recycling system. According to the submitted plans there is sufficient space within the applicant's curtilage to accommodate the refuse bins. This has been shown on the submitted plans showing storage within the side access of the property.

33. These bins could be brought to the driveway edges on collection day.

Technical Housing Standards

34. The Ministerial Statement of the 25th March 2015 announced changes to the government's policy relating to technical housing standards. The changes sought to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard. 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.
35. 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).
36. The revised proposal includes two dwellings of different sizes. Plot 1 is shown as a two bedroomed, four-person unit with a Gross Internal Area (GIA) of approximately 117.4 sqm, and Plot 2 as a two-bedroomed, three-person unit with a GIA of approximately 141 sqm. According to the DCLG Technical Housing Standards (2015), a single-storey, two-bedroomed, four-person dwelling requires a minimum GIA of 70 sqm with 2.0 sqm of built-in storage, and a two bedroomed, three-person dwelling requires a minimum GIA of 61 sqm with 2.0 sqm of built-in storage. Both proposed dwellings would exceed the minimum space standards and include built-in storage provision through wardrobes, cupboards, or similar means. As such, the proposal is considered to comply with national internal space standards

Ecology and Trees

37. The National Planning Policy Framework at paragraph 180 indicates the importance of avoiding impacts on protected species and their habitat. Where impact is considered to occur, appropriate mitigation to offset the identified harm is required. 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.

38. Policy DM25 (Trees and Woodlands) of the of the Council's Development Management Plan indicates 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. No trees are proposed to be removed, nor are there close by trees subject to Tree Preservation Orders that would be affected by the proposal. It is therefore concluded that there would not be any trees adversely affected by the proposal.
39. Given the site characteristics, there are no ecological considerations of note that would be impacted by the development.

Garden Size

40. Rochford District Council's Supplementary Planning Document 2 (SPD2): Housing Design requires that dwellings with two bedrooms should be provided with private garden areas of at least 50m². Based on the submitted site layout, both proposed dwellings would benefit from substantial private amenity space, with garden areas in excess of this minimum standard. This is considered acceptable and appropriate for the site's rural context, allowing for generous external space without resulting in overdevelopment.

Landscaping

41. A detailed landscaping plan has been submitted which outlines species, boundary treatments and other details. Considering this has been submitted at planning application stage, it is not considered necessary to impose any additional requirement for details to be submitted. The compliance and implementation of the submitted landscaping plans however will be conditioned to ensure compliance.

Biodiversity Net Gain

42. 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).
43. 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, with the development stated on the planning application form being a custom/self-build development. Although the proposal is for a pair of detached dwellings, the details of two applicants have been provided who would live in those dwellings once constructed.

44. The applicant has not therefore been required to provide any BNG information.
45. As the proposal is for development to which the statutory biodiversity gain condition would not apply, an informative would advise any future developer that they would not have to discharge the statutory gain condition prior to the commencement of development is recommended.
46. It is however recommended that a condition be imposed on any granting of planning consent to secure the discharging of the statutory gain condition if the development and resultant dwellings no longer meets the custom/self build exemption.

Flood Risk

47. Environment Agency flood risk mapping indicates that parts of the site lie within an area shown at risk from surface water flooding (1 in 30 chance). This risk necessitates careful consideration under the 2024 NPPF, specifically paragraph 175, which requires a Sequential Test unless a site-specific Flood Risk Assessment (FRA) demonstrates that no development, including accesses, would be located in areas at risk of flooding now or in the future.
48. The development site is in Flood Zone 1, with the EA maps showing that the site is not at risk of this type of flooding in the future, taking into account climate change.
49. The EA have been consulted on the application and the submitted flood risk assessment and have stated that as the proposal is in Flood Zone 1 they have no concerns regarding the proposal.
50. In support of the application the applicant has submitted a Flood Risk Assessment and Drainage Strategy Report (Ref: 1111-2536-A dated July 2025) together with a detailed Drainage Plan. The strategy proposes mitigation measures including:
 - the use of cellular soakaway storage tanks to accommodate roof water runoff;

- permeable block paving to all driveways, providing both infiltration and sub-base storage;
 - kerbed access points to prevent surface water ingress from Church Road; and
 - a maintenance regime covering annual inspection of soakaways and routine upkeep of permeable surfaces.
51. The submitted modelling demonstrates that the drainage system would prevent flooding during the 1 in 30 year event and ensure that flows during the 1 in 100 year plus climate change event would be safely managed within the site. Given the site's scale and location in Flood Zone 1, the Environment Agency is not a statutory consultee and has raised no objection. It is considered that the mitigation set out in the FRA and Drainage Plan is appropriate and proportionate to address the identified surface water flood risk. A compliance condition is recommended to secure implementation and maintenance of the approved scheme.
52. SuDS Essex have been consulted on the scheme and have stated that they do not wish to comment on the application. They have recommended that as the site is subject to critical drainage, the applicant should utilise water butts and permeable paving. The applicant has however submitted a drainage plan, and therefore it is considered that although SuDS Essex did not comment officially on scheme, that to ensure that the site does not lead to increased flooding elsewhere, that the mitigation outlined within this plan should be implemented and maintained throughout the lifetime of the development.

Foul Drainage

53. A package treatment plant has been proposed as the method to dispose foul drainage on the site. It is considered that the dwellings are likely to be able to dispose of the foul drainage on the site using this method. It is considered that further details in relation to this will be covered under the building regulations application required for new dwellings.

Highway Safety

54. The Council has recently adopted the Essex Parking Guidance (2024), which now supersedes the previous 2009 guidance for Rochford.
55. This dwelling is considered to be in an area of low to moderate connectivity.
56. The proposal includes access onto new driveways for both properties. The hardstanding proposed is sufficient for the parking of two cars

each with bay sizes which would both meet the above standards of 5.5m x 2.9m.

57. The dwellings would both have access to their driveways from the Wadham Park Farm track which is a private road.
58. The Highway Authority have been consulted on the application and their comments state that the applicant should seek permission from the landowner for the installation of vehicle crossovers.
59. The Highway Authority have also recommended that a condition be imposed on any granting of planning consent which has been included in the consultations section of this report.
60. The proposal is considered to comply with Policies DM1 and DM30 in this regard and the proposal would not be of detriment to highway safety.

Paragraph 11(d) – National Planning Policy Framework (2024)

61. As Rochford District Council cannot currently demonstrate a five-year supply of deliverable housing land, paragraph 11(d) of the National Planning Policy Framework (2024) becomes engaged. This introduces a tilted balance in favour of sustainable development, unless specific policies in the Framework indicate that permission should be restricted.
62. The site lies within the Metropolitan Green Belt, and the proposed development does not meet any of the exceptions listed under paragraph 154 of the NPPF. As such, it would constitute inappropriate development, which is, by definition, harmful and should not be approved except in very special circumstances. However, a fallback position exists in the form of an extant planning permission for a single dwelling (ref. 23/00474/FUL). Revised plans have been submitted which demonstrate that the combined footprint of the two proposed dwellings would not materially exceed that of the approved fallback. Where the scale, volume and overall impact on openness are not substantially greater, this carried significant material weight within the planning balance.
63. Taking these factors into account, it is considered that the proposal benefits from the presumption in favour of sustainable development under paragraph 11(d) of the NPPF and the scheme is supported.

Equalities and Diversity Implications

64. 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.

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

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

CONCLUSION

67. APPROVE.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Hockley Parish Council : No objections.

Neighbour representations: No comments received.

Essex County Council Highway Authority: No objections subject to the following condition:

1. *Prior to first occupation, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.*

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

Environment Agency: No objection.

Essex County Council SuDS – No formal comments.

Relevant Development Plan Policies:

National Planning Policy Framework (2024) (as amended).

Rochford District Council Local Development Framework
Core Strategy Adopted Version (December 2011) – H1, CP1, GB1, GB2, T8.

Rochford District Council Local Development Framework

Development Management Plan (December 2014) DM1, DM2, DM3, DM4, DM25, DM30.

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

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

The Essex Design Guide (2018).

Natural England Standing Advice.

RECOMMENDATION: APPROVE

Conditions:

42. 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.

43. The development shall be undertaken in strict accordance with the plans referenced;

NHC_0425_001 – 01 (July 2025)
NHC_0425_002 – 01 (July 2025)
NHC_0425_003 – 01 (July 2025)
NHC_0425_004 – 01 (July 2025)
NHC_0425_005 – 01 (July 2025)
NHC_0425_006 – 01 (July 2025)
NHC_0425_006 – 02 (July 2025)
NHC_0425_006 – 03 (July 2025)
NHC_0425_010 – 01 (July 2025)
NHC_0425_010 – 02 (July 2025)
NHC_0425_011 – 01 (July 2025)
NHC_0425_011 – 02 (July 2025)
NHC_0425_012 – 01 (July 2025)
NHC_0425_012 – 02 (July 2025)
NHC_0425_013 – 01 (July 2025)
NHC_0425_014 – 01 (July 2025)

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

44. The external facing materials to be used in the construction of the development hereby permitted, shall be those as listed on the application form, those shown on documents as submitted with the application, or those shown on the approved plans unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use.

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

45. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A, B, C and E of Part 1 Schedule 2 of the Order shall be carried out.

REASON: To ensure continued control over the extent of further building on the site in the interests of the open character of the Metropolitan Green Belt.

46. The development shall be carried out in full accordance with the submitted landscaping and materials plans:

NHC_0425_005 – 01 (July 2025)
NHC_0425_006 – 01 (July 2025)
NHC_0425_006 – 02 (July 2025)
NHC_0425_006 – 03 (July 2025)
NHC_0425_014 – 01 (July 2025)

which show the species, boundary treatments, surfacing and other hard and soft landscaping works. The approved landscaping shall be implemented in its entirety during the first planting season (October to March inclusive) following first occupation of the dwellings or in accordance with any alternative timetable agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) which dies, is removed, becomes seriously damaged or defective within five years of planting shall be replaced in the next available planting season with a specimen of the same species and size unless otherwise agreed in writing by the Local Planning Authority.

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

47. Prior to first occupation of the development hereby permitted, a new hardstanding driveway shall be provided to the site frontage of each dwellinghouse, each accommodating two car parking spaces each measuring 5.5m deep x 2.9m in width. The spaces shall be retained for the

use solely for the parking of vehicles in perpetuity thereafter for the duration of the development approved.

REASON: To ensure the site can accommodate the required parking spaces in compliance with Essex Parking Guidance (2024) in the interests of highway safety and in accordance with policy DM1 and DM30 of the Rochford Council Development Management Plan.

48. The dwellings hereby approved shall be first occupied by George Bailey and/or Francesca Nicell and/or any dependants (Plot 1) and Tracy Bailey and/or Richard Bailey and/or any dependants (Plot 2) for a period of no less than 3 years from the date of first occupation.

REASON: The development hereby approved is declared to be exempt from the mandatory Biodiversity Net Gain (BNG) condition as a result of the dwellings being self-build. The dwellings must be delivered as self-build dwellings because otherwise the mandatory BNG condition would apply as would have the need for the applicants to supply the necessary pre-planning consent BNG information which was not provided in relation to the planning application.

49. The development hereby approved shall be carried out in full accordance with the submitted *Flood Risk Assessment and Drainage Strategy Report* (Ref: 1111-2536-A, dated July 2025) and associated *Drainage Plan* (1111-2536-CIV-10- P1 dated 07.07.2025), including the use of permeable paving to all driveways, unless otherwise agreed in writing by the Local Planning Authority.

No dwelling shall be first occupied until the approved drainage scheme has been fully implemented. The drainage system shall thereafter be retained, managed and maintained in accordance with the measures set out in Section 8 of the *Flood Risk Assessment and Drainage Strategy Report* (maintenance schedule).

REASON: To ensure that the development incorporates appropriate drainage to manage surface water flood risk, in accordance with the National Planning Policy Framework (2024).

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