



PLANNING APPLICATIONS WEEKLY LIST NO.1782
Week Ending 7th November 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 27th November 2025
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **12th November 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:	25/00080/FUL Zoning: Residential
Case Officer	Mr Duncan Law
Parish:	Hullbridge Parish Council
Ward:	Hullbridge
Location:	Site Of 7 South Avenue Hullbridge
Proposal:	Demolition of Existing Bungalow and Construction of Two Detached Dwellings. Form new (additional) vehicular access.

SITE AND PROPOSAL

1. The application seeks full planning permission for the demolition of the existing bungalow on site to be replaced with a pair of detached dwellings and a new additional vehicular access.
2. Located to the south west of the settlement of Hullbridge, South Avenue is a residential road comprising a mixed character of semi-detached houses and bungalows in a variety of styles. No. 7 is on the north side of South Avenue set behind a low stone boundary wall and comprises of a bungalow, detached garage set in a wide plot, with amenity space to front and rear and a single point of access.
3. The neighbouring Nos. 1 and 3 to the west are a pair of semi-detached houses, No. 5 is a bungalow with its roof ridge at right angles to the road and a gabled front. Nos. 9 and 11 are another pair of semi-detached houses of the same style as Nos. 1 and 3. Opposite are a chalet bungalow and two bungalows. The building line of 1 -11 South Avenue is set at a slight angle to face slightly south – west whereas No. 7 isn't, being parallel to the road.

RELEVANT PLANNING HISTORY

4. None relevant.

MATERIAL PLANNING CONSIDERATIONS

5. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
6. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014). Policy H1 to the Councils

adopted Core Strategy seeks to protect the character of existing residential areas by resisting the intensification of smaller sites. Limited infilling will however be considered acceptable and will continue to make a contribution to housing supply, provided it relates well to the existing street pattern, density and character of the locality.

7. Paragraph 72 of the National Planning Policy Framework (2024) (as amended) (NPPF) sets out what supply and mix of sites authorities should identify through their planning policies. The Housing Delivery Test measures whether planned requirements (or, in some cases, local housing need) have been met over the last 3 years. The 5-year housing land supply is a calculation of whether there is a deliverable supply of homes to meet the planned housing requirement (or, in some circumstances, local housing need) over the next 5 years.
8. Rochford District Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by the NPPF. Consequently, in accordance with paragraph 11(d) of the NPPF, the 'tilted balance' is engaged. This means that the presumption in favour of sustainable development would apply to the application for planning permission for this proposal and that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
9. Within the District there are four tiers of settlement. As defined within the adopted Core Strategy, the site is located within the settlement boundary of Hullbridge which is allocated as a 'Tier two' settlement where there is a more limited range of services and access to public transport is relatively poor. The Core Strategy states that the strategy for the distribution of housing development is a balance between focussing development on the higher tier settlements whilst allocating a proportion of the housing development to the lower tier settlements as is proposed. The existing bungalow is one of the wider plots in the street with most homes on more narrow plots similar to that proposed.
10. As such the principle of residential development in a residential area of a tier two settlement is supported in principle.

Impact on Layout, Character and Design

11. Paragraph 8 of the NPPF sets out the three overarching objectives of the planning system. These include an environmental objective to "to protect and enhance our natural, built and historic environment..." Paragraph 9 sets out that "Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area". The overarching objective to protect and enhance our natural, built, and historic environment is reflected in specific policies about: achieving well-

designed places (Section 12); conserving and enhancing the natural environment (Section 15); and conserving and enhancing the historic environment (Section 16). The National Design Guide illustrates how well-designed places that are enduring, and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

12. Policy CP1 of the Council's Core Strategy and Policy DM1 of the Council's Development Management Plan both seek to promote high quality design in new developments that would promote the character of the locality. Amongst other criteria, Policy DM3 of the Development Management Plan seeks demonstration that residential intensification and back land development positively address the existing street pattern and density of the locality, and whether the number and types of dwellings proposed are appropriate having regard to existing character.
13. The area is predominantly residential and there is no overarching style of development in the wider area, which consists of a mix of bungalows, semi-detached and detached dwellings along a varied building line nor is there an established grain of development with large houses in larger plots in close proximity to smaller properties with smaller gardens.
14. The demolition and development proposed would increase the grain of development, however the wide site has capacity for increased density development. Accordingly, the scale of the development is considered to respond positively to the local character with reference taken from the existing residential properties to the east and west by adopting a blended approach to architectural treatment with forward projecting gables, recessed entrances, first floor rendering and large areas of glazing adding visual interest providing an active frontage and outward facing distinctive development. The design, amended roof pitch and layout are acceptable in terms of their impact on the character and appearance of the area with the proposals sitting comfortably within the street scene.
15. The proposal as submitted is considered to be a more effective use of land as required by paragraph 124 of the NPPF 'Making effective use of land' that states 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. The layout as proposed is a considered a sensible response to the site constraints and would allow sufficient front and rear amenity space to all plots whilst providing a net increase in housing.

16. Consequently, the appearance and form of the proposed dwellings is not considered to result in adverse impacts to the character of the wider street scene as required by Policy CP1 of the Core Strategy and Policy DM1 of the Development Management Plan.

Impact on Residential Amenity

17. 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, ensure privacy, promote visual amenity, and create a positive relationship with existing and nearby buildings.
18. The Councils Supplementary Planning Document 2 (SPD2) - Housing Design contains guidance relating to the separation of dwellings that advises a minimum separation of one metre between the side boundaries of habitable rooms of dwellings, to provide a total separation of two metres between the sides of the buildings as is demonstrated on the submitted plans.
19. It is thought that the scheme would not have such a significant effect on the standard of amenity which is currently enjoyed by the adjacent residential occupiers. Due to the sites orientation, surrounding development and the path of the sun, limited overshadowing at the start and end of the day would result from the proposals to the immediate neighbours to the east and west. Furthermore, side windows are limited to serving bathrooms which will be secured by condition to be obscured glazed, negating any opportunity for overlooking.
20. A suitably worded Demolition and Construction Environmental Management Plan and site procedures to be adopted during construction including working hours, intended routes for construction traffic, details of vehicle wheel washing facilities, location of site compound, lighting, and security and how dust and other emissions would reduce any impacts on amenity during the construction phase.
21. It is concluded that the scheme would not likely result in any significant effect on the standard of amenity which is currently enjoyed by the adjacent residential occupiers. Consequently, the scheme as proposed would not be considered to conflict with Policy DM1 of the 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. Policy DM3 of the Development Management Plan – Infilling and Residential Intensification Proposals for infilling states that residential intensification or 'back land' development must

demonstrate that the following have been carefully considered and positively addressed:

- (i) the design of the proposed development in relation to the existing street pattern and density of the locality;
- (ii) whether the number and type of dwellings being proposed are appropriate to the locality having regard to existing character;
- (iii) the contribution to housing need, taking into account the advice and guidance from the Council, based on the most up-to-date evidence available.

The proposal would provide two four bedroomed homes which would not result in an over concentration of one dwelling type and is considered to accord with policy H5.

Highway Safety and Parking

22. Policy DM1 of the Council's Development Management Plan requires sufficient car parking whereas Policy DM30 of the Development Management Plan aims to create and maintain an accessible environment, requiring development proposals to provide sufficient parking facilities having regard to the Council's adopted Part 1: Parking Standards Design and Good Practice (September 2024) in respect of both car spaces and cycle storage.

23. 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. As per Figure 2-1: Connectivity levels throughout Essex, Hullbridge is considered to have 'moderate connectivity'. The application proposes the construction of 2 No. four bedroomed houses that triggers a parking space requirement of 2 spaces plus 0.25 visitor spaces as is provided on site with 0.5 visitor parking being able to be subsumed into the surrounding highway. Cycle parking is proposed in the garages.

24. Essex County Council Highways officers had no objections subject to conditions and as such 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).

Landscaping and Boundary Treatment

25. Paragraph 135(b) of the NPPF advises that planning policies and decisions should ensure, amongst other things, that developments have appropriate and effective landscaping. Policy DM1(iii) of the Development Management Plan seeks to ensure, with the design of new developments, that there is adequate boundary treatment and

landscaping. SPD2 also provides advice and guidance when considering landscaping. Appropriate boundary treatments and landscaping will be secured through an appropriately worded condition. The proposed landscaping is considered to secure a net environmental gain through new planting of native species in accordance with Policy DM1(iii) of the Development Management Plan.

Ecology and Biodiversity Net Gain (BNG)

26. 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.
27. 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.
28. Ecologists at Essex County Council's Place Services have reviewed the documents supplied by the applicant including the Preliminary Roost Assessment (Ask ecology, 2025), relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation and were satisfied that there is sufficient ecological information available to support determination of this application.
29. 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.
30. 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.
31. Ecologists at Place Services reviewed the documents supplied by the applicant relating to mandatory Biodiversity Net Gains, including the accompanying updated Statutory Biodiversity Metric (Completed by

Sorrel Kiamil BSc MSc MCIEEM, April 2025) and the updated Biodiversity Net Gain Feasibility Report (Ask ecology, 2025) and were satisfied that submitted information provides sufficient information at application stage subject to a condition requiring a Biodiversity Gain Plan to be submitted prior to commencement.

32. 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

33. 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 mitigates this impact by way of a financial contribution of £169.45 for the one net additional dwelling and which has been paid by the applicant.

Drainage & Flood Risk

34. Paragraph 181 of the NPPF (2024) states: 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location.
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment.
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate.

- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

35. Policy ENV3 of the Core Strategy 2011 refers to flood risk and seeks to direct development away from areas at risk of flooding with the vast majority of development to be accommodated within flood zone 1. According to the updated Environment Agency's Flood Risk Map, the application site is located entirely in Flood Zone 1 where there is the lowest probability of flooding from rivers and the sea and to where development should be directed. It is noted that the scheme principally involves the demolition of the existing building and there are limited changes in hard standing proposed. The need to apply the sequential test would not be activated. As such, given the nature of the development, it would not have an impact on flood risk, the proposal is considered to comply with the relevant policies contained within the Development Management Plan and the NPPF.

Foul Water

36. The National Planning Practice Guidance (NPPG) provides a hierarchy of drainage options in the following order:
- Connection to public sewer
 - Package sewage treatment plant
 - Septic tank
 - Cesspool (if none of the above are feasible)

The submitted application form advises that the proposal is to connect to the Anglian Water sewerage system, therefore, this would adhere to the NPPG which seeks connection to the public sewer as the ideal option.

Amenity space and Refuse

37. The Council's SPD2 – Housing Design sets out the garden size expected for different forms of residential development. The submitted layout plan demonstrates that the proposal comprising housing will have provide more than the minimum private zone garden area of 100 sqm.
38. The overall layout would achieve dwellings of 7m width, each with a sidespace of 1m as required but to plots of 9m. Although the each plot is very slightly short of the 9.25m required, the applicant has demonstrated a design that fits the constraints of the 0.5m shortfall in width across the whole site. If the application were refused, the layout would be simply adjusted to form a pair of semi detached or larger semi - detached dwellings to the plot. The proposed plots are also more characteristic of the street such that no demonstrable harm would result other than failure of prescriptive plot width guidance for its own sake.

39. 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 to encourage use. Appendix 1 of the Development Management Plan (2014) dictates the refuse requirements for 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. There is sufficient space within each plot for the storage of refuse and collection.

Technical Housing Standards

40. The Ministerial Statement of the 25th of 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.
41. Rochford District Council has existing policies relating to all 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 a time as existing Policy DM4 is revised, this policy must be applied considering the Ministerial Statement. All new dwellings are therefore required to comply with the new national space standard as set out in the DCLG Technical housing standards - nationally described space standard March 2015.
42. A four bed roomed seven-person two storey dwelling is required to be 115 sqm. plus 3 sqm. of storage. The submitted plan shows dwellings of a gross floor area more than 200 sqm., with storage as required by the technical housing standards.

Sustainability

43. Paragraph 162 of the NPPF states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including water scarcity. Policy ENV9 of the Core Strategy requires that housing be built to the optional building regulations standard in relation to water efficiency of a maximum of 110l/s/day. Restricting the flow from fittings (taps and showers) installed when houses are first constructed would enable occupants to

limit their water consumption to 110 litres per person per day. This would be required by condition.

Contaminated land

44. The revised NPPF at paragraphs 196 and 197 sets out policies on development involving contaminated land. The planning practice guidance also offers detailed government advice on this topic. Policy ENV11 of the Core Strategy states that the presence of contaminated land on a site will not be seen as a reason to resist its development and that the Council will require applicants who wish to develop suspected contaminated land to undertake a thorough investigation of the site and determine any risks. Relevant remediation and mitigation measures will need to be built into development proposals to ensure safe, sustainable development of the site.
45. Subject to the imposition of a condition if any unexpected contamination is found on site, the proposed development would with policy ENV11 of the Core Strategy and the NPPF

EQUALITIES AND DIVERSITY IMPLICATIONS

46. 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.
47. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
48. 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

49. **APPROVE** subject to conditions.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Hullbridge Parish Council: No objection

Hullbridge Parish Council have no objection, but we would like to note it is sad to see the loss of a bungalow and are concerned to the loss of light to the neighbouring property.

Neighbour representations:

Three responses have been received and which in the main make the following comments and objections:

- Loss of light.
- Disruption during demolition and construction.
- Incorrect measurements on plan. Sidespace states 798mm when in fact I have measured it at 1000mm.
- Concern at increase in height and depth of built form.
- Loss of privacy from side windows despite being obscure glazed.

Essex County Council Place services Ecologist – No objections

We have reviewed the documents supplied by the applicant including the Preliminary Roost Assessment (Ask ecology, 2025), relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation.

We have also reviewed the documents supplied by the applicant relating to mandatory Biodiversity Net Gains, including the accompanying updated Statutory Biodiversity Metric (Completed by Sorrel Kiamil BSc MSc MCIEEM, April 2025) and the updated Biodiversity Net Gain Feasibility Report (Ask ecology, 2025).

We are satisfied that there is sufficient ecological information available to support determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Statutory Biodiversity Metric (Completed by Sorrel Kiamil BSc MSc MCIEEM, April 2025) and the updated Biodiversity Net Gain Feasibility Report (Ask ecology, 2025). Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)

- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Additional comment:

The development is predicted to have an impact on internationally designated sites and will require delivery of mitigation measures at the coastal Habitats sites. The site location is within the Zone of Influence for the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and the development is for residential purposes, so it is relevant to the advice issued by Natural England to the Council. The LPA should seek a financial contribution from the developer in line with the per dwelling tariff. The Essex Coast RAMS identifies necessary measures to avoid and mitigate for adverse effects on the integrity of Habitats sites from recreational disturbance in-combination with other plans and projects.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Roost Assessment (Ask ecology, 2025), 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).

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation as part of the biodiversity gain condition, to allow aftercare and monitoring to be secured for the 30-year period and the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using draft text provided by the Secretary of State:

“Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the 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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Rochford District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.”

Essex County Council Highway Authority: No objections.

The information that was submitted in association with the application has been fully considered by the Highway Authority.

This proposal includes demolition of the existing bungalow, subdivision of the site and provision of two detached dwellings, each with an integral garage and off-street parking. An existing vehicle access shall be widened, and a new vehicle access is required, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

Prior to first occupation of the development and as shown in principle on planning drawing 3503/06/45 Rev 02. The proposed vehicle accesses shall be altered/provided as follows:

- i) The existing eastern vehicle access shall be widened in alignment with the proposed parking layout to 4.5 metres wide at its junction with the highway.
- ii) The new western vehicle access shall be 4.5 metres wide at its junction with the highway.

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

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

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

Prior to first occupation of the development and as shown in principle on the planning drawing 3503/06/45 Rev 02, each proposed dwelling shall be provided with a minimum of two off-street parking spaces. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.

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

Prior to first occupation of the development 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.

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

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

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

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 carriageway.
- The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.
- * 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

Relevant Development Plan Policies:

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

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) – Policies CP1, H1, H5 ,H6 ,ENV3, ENV9, ENV11.

Rochford District Council Local Development Framework Development Management Plan (December 2014) – Policies DM1, DM3, DM4, DM25, DM27, DM30.

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

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

The Essex Design Guide.

Natural England Standing Advice.

RECOMMENDATION: APPROVE

Conditions:

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

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

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

Project No. 3503/06/45 Rev. 2 Location Plan, Block Plan, Proposed floor plans and elevations received 24th September 2025.

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

3. No development, including any works of demolition, shall take place until a Construction and Demolition Environmental Management Plan (CDEMP) has been submitted to and approved in writing by the local planning authority. The CDEMP shall include site procedures to be adopted during the course of construction including:
 - Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - Method of demolition
 - Details of haul routes within the relevant parts of the site;
 - A plan specifying the area and siting of land to be provided for parking, turning, loading, and unloading of all vehicles visiting the relevant parts of the site and siting of the contractor's compound during the construction period to be agreed on a phased basis;
 - Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction/engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant/equipment;
 - Noise and vibration (including piling) impact/prediction assessment, monitoring and recording protocols/statements and consideration of

mitigation measures in accordance with the provisions of BS5228 (2009): Code of Practice for Noise and Vibration Control on Construction and Open Site - Part 1 and 2 (or as superseded);

- Details of best practice measures to be applied to prevent contamination of the water environment during construction;
- Measures for soil handling and management including soil that is potentially contaminated;
- Details of concrete crusher if required or alternative procedure;
- Details of odour control systems including maintenance and manufacture specifications;
- Maximum noise mitigation levels for construction equipment, plant, and vehicles;
- Site lighting for the relevant part of the site;
- Screening and hoarding details;
- Liaison, consultation, and publicity arrangements, including dedicated points of contact;
- Complaints procedures, including complaints response procedures;

The development shall be carried out in full accordance with the approved CDEMP.

REASON: To ensure there are adequate mitigation measures in place, in the interests of highway and pedestrian safety and in order to protect the amenities of existing and future residents in accordance with policy DM1 of the Development Management Plan 2014.

4. The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission is granted and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.
5. REASON: To ensure the demolition is followed by immediate rebuilding, avoiding the unnecessary loss of buildings and to maintain the character and appearance of the area in accordance with policy DM1 of the Development Management Plan 2014.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the first-floor windows on the west elevation of plot 1 and the first-floor windows on the east elevation of plot 2 shall be glazed with obscure glass and thereafter maintained in this condition at all times. The level of obscurity shall be a minimum level 3 of the Pilkington range of Textured Glass or equivalent. The glazing shall not be altered to clear glazing without the specific grant of planning permission from the local planning authority.

REASON: To preserve the amenity and privacy of the future residential occupiers in accordance with Policy DM1 of the Development Management Plan.

7. Notwithstanding the submitted drawings, no development shall take place above slab level until a hard and soft landscape scheme shall be submitted to and approved in writing by the local planning authority. This shall include the schedule of proposed work to retained trees in accordance with BS 3998: 2010 Tree Work - Recommendations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, supply sizes and proposed densities; and a tree planting details drawing. The planting plans shall include existing trees to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels; visibility splays; streetlights; proposed and existing functional services above and below ground. All hard and soft landscape works shall be carried out in accordance with the approved details and prior to the first occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a programme agreed in writing with the local planning authority. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity. Thereafter the hard and soft landscape works shall be maintained and retained in situ.

REASON: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with Policy DM1(iii) of the Development Management Plan.

8. No construction works shall be undertaken above slab level until details for new nesting opportunities for birds and bats either integral to or mounted to the approved buildings or mounted on suitable retained trees has been submitted to and approved in writing by the local planning authority. The scheme shall include details of external bat roosting boxes, sparrow terraces, swift boxes and general nesting boxes and the development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the building.

REASON: To maintain and enhance local biodiversity and ecology in accordance with Policy DM27 of the Development Management Plan.

9. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Roost Assessment (Ask ecology, 2025), 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).

10. Prior to first occupation of the development and as shown in principle on planning drawing 3503/06/45 Rev 02. The proposed vehicle accesses shall be altered/provided as follows:

The existing eastern vehicle access shall be widened in alignment with the proposed parking layout to 4.5 metres wide at its junction with the highway.

The new western vehicle access shall be 4.5 metres wide at its junction with the highway.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the highway in the interests of highway safety in accordance with policy DM1 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

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

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

12. Prior to first occupation of the development and as shown in principle on the planning drawing 3503/06/45 Rev 02, each proposed dwelling shall be provided with a minimum of two off-street parking spaces. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 DM1 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

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

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

14. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

REASON: To ensure that appropriate loading/unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1 of the county highway authority's Development Management Policies, adopted as Supplementary Guidance.

15. 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.

16. In the event that any unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the local planning authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the local planning authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the local planning authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with policy ENV11 of the Council's Core Strategy.

Informatives

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.
2. 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 carriageway.
3. The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.
4. 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.
5. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org
6. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)". Based on the information available this permission is considered to be one which will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions are considered to apply. The development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to Rochford District Council planning authority, and
 - (b) Rochford District Council has approved the plan.

The local Ward Members for the above application are Cllr. M. Hoy, Cllr. S. A. Wilson and Cllr. Mrs. T. D. Knight.

Application No :	25/00411/FUL Zoning : MGB
Case Officer	Mr Richard Kilbourne
Parish :	Rawreth Parish Council
Ward :	Downhall And Rawreth
Location :	National Grid London Road Rawreth
Proposal :	Construct area of permeable crushed stone to extend a previously consented access road leading to an electrical substation granted planning permission under reference 23/00389/FUL.

SITE AND PROPOSAL

1. The subject site is part of a vacant flat green field directly north of the existing National Grid Rayleigh substation complex, which comprises of a number of large transformers, office buildings, plant buildings and large-scale transmission pylons. The site is bound by a hedgerow and trees to the north, beyond which lies an agricultural field containing an electricity pylon. The site is bound by vegetation to the east, as well as a hardstanding area used for storage and an access road. In addition, the site is bound by an electricity substation building surrounded by palisade fencing to the south, beyond which lies National Grid's main Rayleigh Substation, and is bound by vacant grassland to the west, beyond which lies the A130 (circa. 110m west of the site boundary).
2. The closest residential properties to the site are located circa. 280m to the north east off Beke Hall Chase North. The site is not visible from these properties due to the intervening distance and the presence of a dense area of woodland to the south of the properties. Furthermore, there are properties off the A129 London Road circa. 410m to the north of the site. Again, views from these properties into the site would be screened by existing field boundary vegetation.
3. This application proposes to construct an area of permeable crushed stone to extend a previously consented access road leading to an electrical substation granted planning permission under reference 23/00389/FUL at National Grid London Road Rawreth.

RELEVANT PLANNING HISTORY

4. Application No. 25/00413/FUL - Proposed development of a drainage connection pipe and headwall for the electrical substation and associated development, approved under planning permission reference 23/00389/FUL – Approved 5th November 2025.
5. Application No. 25/00573/NMA - Non-Material Amendment to application Reference 23/00389/FUL – Approved – 26th August 2025.

6. Application No. 24/00808/FUL - Proposed development of a drainage connection pipe and headwall for the electrical substation approved under Planning Permission reference 23/00389/FUL on land adjacent to National Grid Rayleigh Substation, Off London Road – Approved – 29th January 2025.
7. Application No. 23/00389/FUL - Erection of an electrical substation – Approved – 6th March 2024.
8. Application No. 21/00522/FUL - Containerised battery storage facility and associated infrastructure including access track and boundary treatment. Land to the south of the A129 London Road (directly adjacent to the northern boundary of the application Site) - Approved - 5th November 2021.
9. Application No. 18/00305/FUL - Construction of a new hard standing access track and gated entrance to the consented Dollyman's Power and Storage Facilities off London Road and construction of gas kiosk – Approved - 20th September 2018.
10. Application No. 17/00939/FUL - Development of a 49.99 MW Battery Storage Facility with associated infrastructure and landscaping. Land to the south of the A129 London Road (directly adjacent to the northern boundary of the application Site) – Approved - 20th December 2017.
11. Application No. 17/00942/FUL - Development of a 49.99 MW Gas Fired Electricity Generating Facility with Associated Infrastructure and Landscaping. Land to the south of the A129 London Road (directly adjacent to the northern boundary of the application Site) - Approved - 20th December 2017.
12. Application No. 95/00345/FUL - Ground Floor Side Extension of Reception and Office Out to Line of Main Building Encompassing Existing Recessed Main Entrance Area. National Grid Substation - Approved - 16th August 1995.
13. Application No. 91/00456/FUL - Extension to office. National Grid Substation – Approved - 24th July 1991.
14. Application No. 84/00571/FUL - Erection of storage building. National Grid Substation - Approved - 5th October 1984.

MATERIAL PLANNING CONSIDERATIONS

15. 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.

16. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014).

Principle of development

17. The latest version of the National Planning Policy Framework ('the framework') was revised in December 2024. Like earlier versions it emphasizes that the purpose of the planning system is to contribute to the achievement of sustainable development, through three overarching objectives – economic, social and environmental. It makes it plain that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account, to reflect the character, needs and opportunities of each area. The revision increased the focus on design quality, not only for sites individually but for places as a whole.
18. Paragraph 11 of the framework explains that for decision-taking this means, firstly, approving development proposals that accord with an up-to-date development plan without delay. If there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, then planning permission should be granted unless the application of policies in the framework (rather than those in development plans) that protect areas (which includes habitat sites and/or land designated as Green Belt) or assets of particular importance, provide a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.
19. The principle of erecting an electrical substation within the immediate locality has already been approved under planning reference 23/00389/FUL. Therefore, given the characteristics of the immediate and wider area and necessarily approved and implemented energy related developments, the proposed development does not conflict with any immediate land uses in proximity. This infrastructure is necessary to allow the benefits of the proposed substation to be delivered.

Design and Impact upon the Green Belt

20. As previously stated, the proposal seeks planning permission for the extension of an existing access track by approximately 9m to serve a recently approved and nationally significant electrical substation (ref: 23/00389/FUL). The site lies within the designated Metropolitan Green Belt, where national and local planning policy impose strict limitations on new development. The track would provide direct vehicle access to the substation compound and would be used both during the remaining construction period and for future operational and maintenance access. The works involve surfacing the extended area with compacted

permeable crushed stone, with no kerbing or above-ground built features proposed. The principal planning issue is whether the proposed access track extension constitutes appropriate development in the Green Belt and, if not, whether very special circumstances (VSCs) exist to justify approval.

21. The proposal must be assessed primarily against the framework which continues to afford strong protection to the Green Belt. Paragraph 155(b) of the framework states that engineering operations are not inappropriate development, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This paragraph is of particular relevance, as the track extension constitutes a form of engineering operation, involving surface works and ground preparation without built form.
22. The concept of “openness” under Green Belt policy encompasses both spatial and visual dimensions. In spatial terms, the proposal does not involve any buildings or permanent structures that would materially reduce the undeveloped character of the land. Visually, the access track extension is extremely limited in scale (approximately 16m²) and would be constructed in a permeable, crushed stone finish consistent with the existing consented access route. The surface treatment is visually recessive, rural in character, and avoids the urbanising effect that would be associated with formal tarmac roads, lighting columns or signage. The proposal, by its nature and materials, does not result in built form or visually intrusive development that would compromise the open character of the Green Belt.
23. Furthermore, the site benefits from a high level of existing visual containment. To the south lies the large, approved substation, which already introduces energy-related built form in the immediate landscape. The site is also enclosed by the embankment of the A130 and the adjacent railway corridor, with intervening vegetation providing additional screening. While some filtered views may exist from short stretches of the A130 to the west, these views already include the much more visually prominent substation. As such, the incremental visual impact of a small crushed-stone track in this context is negligible. In landscape terms, the proposal will not result in the erosion of rural character or the perception of urban sprawl.
24. In terms of Green Belt purposes, as defined by paragraph 143 of the framework, the development does not conflict with any of the five core objectives. It does not contribute to the unrestricted sprawl of urban areas, nor does it result in coalescence between settlements. The modest scale of the track does not threaten countryside encroachment in any material way, particularly given the site’s proximity to major infrastructure and the presence of existing utility installations. It does not impact the setting of any historic towns or undermine opportunities for urban regeneration elsewhere. Accordingly, the proposed

development does not offend the purposes of including land within the Green Belt.

25. Given this context, it is considered that the proposal satisfies the two policy tests set out in paragraph 155(b) of the framework: it preserves openness, and it does not conflict with the Green Belt's purposes. Therefore, the development should not be regarded as "inappropriate" and does not require very special circumstances to be justified. However, for completeness, it is worth noting that if an alternative interpretation were to conclude that openness is affected - for example, due to cumulative impact arguments - a clear and compelling justification exists in any case.
26. The track extension is operationally essential. It provides the only viable means of vehicular access to the substation compound for inspection, maintenance, and emergency repairs. Without the extension, operational access would be constrained, potentially undermining the long-term functionality and safety of the approved infrastructure. The substation itself was approved based on a suite of very special circumstances, including national policy support for energy infrastructure, the urgent need to expand renewable energy connectivity, and the site's strategic suitability in terms of grid capacity. The current proposal, though small in scale, is integral to enabling the continued operation of that infrastructure. It is not speculative or ancillary in a loose sense, but functionally and physically necessary for a consented and strategically important development.
27. Local policies GB1 and GB2 remain applicable and relevant. These policies seek to safeguard the Green Belt and direct development away from it, unless exceptional justification exists. Although these policies pre-date the latest framework, they remain broadly aligned with its strategic objectives and continue to carry significant weight. In this case, the proposed track extension neither undermines the Green Belt's openness nor conflicts with its wider spatial purposes. Nor does it result in material harm to landscape character, ecology, or residential amenity. When assessed against the development plan as a whole, the proposal does not represent a departure and is compliant with both local and national policy.
28. In design terms, the proposal demonstrates an appropriate and restrained response to its context. The use of permeable materials is environmentally sensitive and aligns with sustainable drainage objectives. The track is limited in scale, avoids visual clutter, and is situated in a landscape already characterised by large-scale infrastructure. There is no evidence that the proposed works would create any form of over-intensification or set a precedent for further encroachment. Rather, the proposal represents a proportionate and necessary intervention required to facilitate the safe, long-term operation of nationally important infrastructure.

29. In conclusion, the proposed access track extension is assessed to constitute appropriate development in the Green Belt under paragraph 155(b) of the framework. It would preserve openness and would not conflict with the purposes of Green Belt designation. Even if deemed inappropriate, the proposal is supported by clear operational necessity and inherits the very special circumstances already accepted for the primary substation development. The visual and environmental impact is negligible, the design is proportionate, and there is no policy conflict with the development plan when read as a whole. The proposal is therefore acceptable in principle and is recommended for approval, subject to the imposition of appropriate conditions securing the design specification and limiting any future intensification of the access route.

Impact on Residential Amenity

30. Paragraph 135 (f) of the framework seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is reflected in the Council's Policy DM1, which seeks to ensure that new developments avoid overlooking, ensuring privacy and promoting visual amenity, and create a positive relationship with existing and nearby buildings. Policy DM3 also requires an assessment of the proposal's impact on residential amenity.
31. Amenity is defined as a set of conditions that one ought reasonably expect to enjoy on an everyday basis. When considering any development subject of a planning application a Local Planning Authority must give due regard to any significant and demonstrable impacts which would arise as a consequence of the implementation of a development proposal. This impact can be in terms of overlooking, loss of light or creating a degree of overbearing enclosure (often referred to as the tunnelling effect) affecting the amenity of adjacent properties.
32. The closest residential properties to the site are located circa. 280m to the north-east off Beke Hall Chase North. Furthermore, there are properties off the A129 London Road circa. 370m to the north of the site. Views from these properties into the site would not be visible due to the intervening distance and screening afforded through the existing field boundary vegetation and the presence of a dense area of woodland to the south of the properties.
33. It is considered given the scale and nature of the proposal it will not have any significant detrimental impact upon the residential amenities of other properties in the locality in terms of overlooking, overshadowing, and over dominance. Therefore, it is considered that the proposal is compliant with Policy DM1 of the Development Management Plan.

Built Heritage

34. The closest designated heritage assets to the proposed development are the Grade II listed 'Beke Hall' located circa. 350m south east and the Grade II listed 'War memorials at Dollyman's Farm' located 390m south west.
35. The Council's Historic Environment Team were consulted on an earlier planning application for the sub-station, and they raised no objection to that application, stating that "due to distance and lack of visibility/intervening development is not considered to contribute to the significance of the heritage assets". Therefore, given the scale and nature of the proposal and the intervening distances the proposal is not considered to result in harm to their significance.
36. The proposed development is therefore in accordance with the guidance contained within the framework and Planning Practice Guidance (PPG) in relation to built heritage.

Drainage & Flood Risk

37. Advice advocated within the framework states that in order to satisfactorily manage flood risk in new developments, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development.
38. The applicant has submitted a Flood Risk Assessment (FRA) prepared by KRS Enviro, dated September 2025. The Environment Agency's Flood Zone mapping confirms that the site is situated within Flood Zone 3a, an area identified as having a high probability of flooding.
39. The proposed development is classified as 'less vulnerable' in accordance with the Planning Practice Guidance (PPG) vulnerability classifications. The PPG acknowledges that less vulnerable uses are generally appropriate within Flood Zone 3a, subject to the submission of a satisfactory FRA.
40. The FRA has comprehensively assessed flood risk from all relevant sources, including fluvial flooding, surface water flooding, groundwater flooding, historic flooding, and flooding arising from artificial drainage systems and infrastructure failure. It also confirms the absence of nearby artificial water bodies and public sewers, thereby minimizing the risk of sewer flooding at the site.
41. The development proposal involves extending a previously consented access road ancillary to an electrical substation (planning reference 23/00389/FUL). For operational reasons, the proposed development must be located at this specific site. While no formal Sequential Test

assessment has been explicitly presented, the site's necessity for operational access supports its suitability within the sequential approach to flood risk.

42. As the development is classified as less vulnerable and is located within Flood Zone 3a, the Planning Practice Guidance indicates that the Exception Test is not required. The FRA demonstrates appropriate consideration of flood risk and outlines mitigation measures to manage residual risk effectively. Moreover, colleagues in Essex County Council's SuDs team have been consulted regarding the proposal and they state, *"As there does not appear to be any changes relating to the previously approved application for this site, we do not wish to provide formal comment on this application"*. Additionally, Colleagues in the Environment Agency have stated that *"We have inspected the application as submitted and no objection to the proposed development on flood risk grounds"*.
43. On this basis, the proposed development is considered acceptable in terms of flood risk and complies with the requirements of the framework and Planning Practice Guidance. The Local Planning Authority can be satisfied that the flood risk implications of the development have been adequately addressed.

Trees

44. Policy DM25 of the of the Council's Development Management Plan (2014) states that:
- 'Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.'*
- Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.'*

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

Biodiversity Net Gain

46. 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.

47. The applicant has indicated that they consider that the development proposed would not be subject to the statutory biodiversity net gain requirement because one of the exemptions would apply. Following a site visit and assessment of on-site habitat and consideration of the nature of the development proposed officers agree that the proposal would be exempt from the statutory biodiversity gain condition because the development meets one of the exemption criteria, i.e., relating to custom/self-build development or de-minimis development or because the development is retrospective. The applicant has not therefore been required to provide any BNG information.
48. As the proposal is for development to which the statutory biodiversity gain condition would not apply, a planning informative to advise any future developer that they would not have to discharge the statutory gain condition prior to the commencement of development is recommended.

Equalities and Diversity Implications

49. 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.
50. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
51. 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

52. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rawreth Parish Council: Have no comments or observations to make.

Essex County Council Highways Authority: The information that was submitted in association with the application has been fully considered by the Highway Authority. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.

Essex County Council Place Services SuDs: As there does not appear to be any changes relating to the previously approved application for this site, we do not wish to provide formal comment on this application

Environment Agency: We have inspected the application as submitted and no objection to the proposed development on flood risk grounds.

Neighbour representations: No responses received.

Relevant Development Plan Policies:

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

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) - Policies GB1, GB2, CP1, T1, T8.

Rochford District Council Local Development Framework Development Management Plan (December 2014) – Policies DM1, DM5, DM11, DM25, DM27, DM30.

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

The Essex Design Guide (2018)

Natural England Standing Advice

RECOMMENDATION: APPROVE

Conditions:

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

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

2. The development shall be undertaken in strict accordance with the plans referenced 2792-02-19 (Statutory Plan) (as per date stated on

plan May 2025), P192-CIV-ARD-0003 Revision P1 (Sections) (as per date stated on plan 12th June 2025), 279202-17 (Location Plan) (as per date stated on plan May 2025) and 2792-02-18 (General Arrangements Plan) (as per date stated on plan May 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.

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

Application No :	25/00515/FUL Zoning : Residential
Case Officer	Mr Thomas Byford
Parish :	Rayleigh Town Council
Ward :	Wheatley
Location :	54 High Road Rayleigh Essex
Proposal :	Demolition of existing garage and construction of a self-build, single storey detached dwelling to the rear of No. 54 High Road with access to the side of the property utilising the existing access

SITE AND PROPOSAL

1. 54 High Road is a detached two storey dwellinghouse sited just south of the junction with Gladstone Gardens. The immediate street scene presented is somewhat mixed, with dwelling styles ranging from bungalows, to large two storey dwellinghouses. Although a main distributor road, this part of High Road has a clear residential character.
2. The site comprises of a dwellinghouse and associated detached garage to the south of the site.
3. The application seeks full planning permission for the construction of a single-storey two-bedroomed detached dwelling within the rear garden of No. 54 High Road, Rayleigh. The proposed dwelling would be accessed via a private drive running along the side of the host dwelling, with access taken from High Road. The proposal also includes the demolition of the existing detached garage to facilitate the new access arrangement.
4. Planning application reference 23/00737/FUL was submitted in March 2023 for the construction of a two-bedroom, two-storey dwelling to the rear of No. 54 High Road, Rayleigh. The proposal involved the demolition of the existing garage to allow access along the southern boundary of the site. The application was refused by the LPA. The reasons for refusal are included below:

1. *The proposed dwelling is considered to present overlooking impacts to the neighbour dwellings including their gardens and presents a poor relationship with other sites. The proposal is also considered to conflict with the existing pattern of development in the area therefore overall fall contrary to parts (i), (iv) and (x) of Policy DM3 and parts (ix) and (x) of Policy DM1.*
2. *The proposal would involve the loss of tree T19 which is a Corsican Pine tree subject to a Tree Preservation Order (TPO). This tree makes an important contribution to the visual amenity of the street scene and the proposal has not demonstrated that this tree would be able to be retained with the development in place. It is also considered that more detail is required regarding the proximity of the driveway to trees T11 and T12 and whether the proposal could be constructed outside the RPAs without taking out a large section of the proposed garden from No 54. The proposal would fall contrary to Policy DM1 and DM25 of the Council's Development Management Plan and paragraph 131 of the NPPF.*
5. This resubmission should address the above reasons for refusal, should the application be approved. It is also important to note the comments from the Planning Inspectorate from the dismissed appeal against the above refusal (Reference APP/B1550/W/23/3333565). Whilst the appeal was dismissed, the inspector made several important findings which are material and to be given weight in the assessment of this current application. These are summarised below.
6. The principle of backland development in this location was found to be acceptable, with the Inspector noting that the form of development would not be out of character with the surrounding area.
7. The Inspector confirmed that the impact on trees and amenity weighed against the proposal.
8. The primary reason for dismissal was the scale and proximity of the proposed two-storey dwelling, which would result in harm to the neighbour Jahara in regards to overlooking.

RELEVANT PLANNING HISTORY

9. Application No. 23/00568/TPO - For health and safety reasons I believe the Corsican Pine at the front of 54 High Rd SS6 7AD requires felling. Replanting a similar tree that could grow to the size of the existing tree would probably be detrimental to the shallow footings of the existing house built in 1905 – Received.
10. Application No. 23/00737/FUL - Demolition of existing garage and erection of a two storey detached dwelling to the rear of No. 54 High

Road, utilising existing access, and erection of detached garage to front of existing dwelling – Refused – Dismissed at Appeal (APP/B1550/W/23/3333565).

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).

Impact on Character

13. Policy H1 to the Council's adopted Core Strategy identifies that in order to protect the character of existing settlements, the Council will resist the intensification of smaller sites within residential areas. Limited infilling will be considered acceptable and will contribute towards housing supply, provided that it relates well to the existing street pattern, density and character of the locality.
14. The Council's Policy DM3 for infilling, residential intensification or 'backland' requires that development must demonstrate that the following have been carefully considered and positively addressed:
 - (i) The design of the proposed development in relation to the existing street pattern and density of the locality;

High Road is characterised predominantly by frontage development, with dwellings typically addressing the street. The planning statement submitted with this application refers to several examples of residential development located to the rear of existing plots in the wider area. Whilst some of these examples pre-date the current Development Management Plan, they nonetheless form part of the established urban grain and spatial context.

In assessing the previous appeal (ref. APP/B1550/W/23/3333565), the Planning Inspector specifically considered whether the proposed siting of a dwelling to the rear of No. 54 would be out of character with the area. The inspector concluded that in terms of design the proposal would not lead to an adverse effect on the character and appearance of the surrounding area with attention drawn to the flexibility of the established pattern of development within the area. It was not considered that the tandem relationship would be harmful upon character.

This is a material consideration that carries significant weight. While it is acknowledged that the form of development represents a form of backland infill, the inspector accepted that this would not be significantly harmful to the established character of the area.

Accordingly, the current proposal - now reduced in scale to a single-storey dwelling - is considered acceptable in principle in respect of its siting and relationship to surrounding development and would not conflict with the aims of Policy DM1 of the Development Management Plan.

- (ii) whether the number and type of dwellings being proposed are appropriate to the locality having regard to existing character;

The surrounding area contains a varied residential character, comprising a mix of bungalows, chalet-style dwellings, and two-storey properties, including both detached and semi-detached forms. The proposal seeks to introduce a single-storey, two-bedroomed detached dwelling within the rear garden of No. 54. Given the varied housing typologies locally, the scale and form of the proposed bungalow would not appear incongruous and is considered to sit comfortably within this context.

The dwelling would be positioned on a plot that provides both private amenity space for the new dwelling and retains sufficient garden area for the host property. The layout demonstrates compliance with the Council's garden size standards, and there is adequate separation to ensure the plot does not appear cramped or overdeveloped taking into account its size. The revised design responds appropriately to the appeal decision and reduces the overall bulk and overlooking impact of the proposal.

Accordingly, the number and type of dwellings proposed are considered to be appropriate to the locality, in accordance with Policy DM1 of the Development Management Plan and the relevant provisions of the National Planning Policy Framework (2024) (as amended) (NPPF) that seek development sympathetic to local character and built form.

- (iii) the contribution to housing need, taking into account the advice and guidance from the Council, based on the most up-to-date evidence available;

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, as required by the NPPF. As such, the presumption in favour of sustainable development under paragraph 11(d) of the NPPF is a material consideration, although in the context of this proposal - which relates to a single dwelling - only limited weight can be afforded to the contribution it makes to overall supply.

The proposal is therefore recognised as contributing positively, albeit in a minor way, to the district's housing supply in a sustainable and appropriate location.

- (iv) an assessment of the proposal's impact on residential amenity

This has been assessed later in the report.

- (v) avoiding a detrimental impact on landscape character or the historic environment;

The location of the site means that the proposal would have no material impact on landscape character or the historic environment.

- (vi) avoiding the loss of important open space which provides a community benefit and/or visual focus in the street scene;

As a private garden, the site has no community benefit, nor visual focus in the street scene. Although neighbouring residents may currently benefit from an outlook across the land, in planning terms there is no right to a view across land owned by a third party.

- (vii) Avoiding the loss of private amenity space for neighbouring dwellings to ensure adequate provision as set out in Supplementary Planning Document 2: Housing Design:

The existing dwelling on the site would still be left with an amenity area meeting the guidance set out in SPD2.

- (viii) the adequate provision of private amenity space for the proposed dwelling as set out in Supplementary Planning Document 2: Housing Design;

Both the host dwelling and proposed dwelling would exceed the requirements for dwellings of this size set out in SPD2.

- (ix) the availability of sufficient access to the site and adequate parking provision; and

The highways authority have been consulted as part of this application and have raised no objection to the proposal. It is not considered that the proposal would lead to highway safety issues.

- (x) avoiding a tandem relationship between dwellings, unless it can be satisfactorily demonstrated that overlooking, privacy and amenity issues can be overcome as set out in Supplementary Planning Document 2: Housing Design.

The Essex Design Guide (EDG) advises that a minimum separation distance of 25 metres should be maintained between rear elevations of

two-storey dwellings where habitable room windows face one another, in order to preserve privacy and prevent overlooking. This standard is primarily intended to manage relationships with first-floor habitable rooms with a direct line of sight.

In this case, the proposed dwelling is single-storey, with all habitable rooms at ground floor level. The relationship in question is therefore between the first-floor rear windows of the existing dwelling (No. 54) and the ground-floor front in the proposed dwelling. The separation distance between these is approximately 23.5 metres. While this is slightly below the EDG guideline, in this context, the downward angle of view from first floor to ground floor significantly reduces the potential for intrusive overlooking.

There are no first-floor windows proposed in the new dwelling, and any views from ground-floor windows into surrounding plots would be typical of suburban relationships and not considered harmful. With regard to the rear garden of the neighbouring property known as Jahara, the proposed dwelling would maintain a 6-metre setback from the shared boundary. With the dwelling only being of single storey nature, it is not considered that there are significant overlooking impacts to Jahara. It is considered that the occupier may wish to install dormer windows into the roof, which could have a detrimental impact in terms of overlooking, and for this reason, the removal of permitted development rights under Classes B and C is considered reasonable.

Taking all of this into account - including the reduced scale of the development and the less direct and more downward nature of the first-floor view from the existing dwelling, it is considered that the proposal demonstrates an acceptable standard of privacy and amenity for both existing and future occupiers. The development would therefore not conflict with Policy DM1 of the Development Management Plan or the objectives of the Essex Design Guide, and no unacceptable tandem relationship would arise.

Impact on Residential Amenity

15. The revised NPPF paragraph 135, emphasises that planning decisions should ensure developments are visually attractive, function well, establish a strong sense of place, and provide a high standard of amenity for both existing and future users. These principles are echoed in Policy DM1 and DM3 of the Council's Development Management Plan and the guidance within Supplementary Planning Document 2 (SPD2) on Housing Design.
16. The proposed dwelling, now reduced to a single-storey, two-bedroomed form, would present a more modest and less intrusive addition within the rear garden of No. 54. The design, scale, and layout respond more sympathetically to the character and grain of surrounding development. Its low height and modest bulk significantly reduce the

potential for overbearing or visually intrusive impacts when compared to the previously refused two-storey scheme.

17. In terms of privacy and overlooking, the separation distance of approximately 23.5 metres between the first-floor rear windows of No. 54 and the front-facing ground-floor bedroom window of the new dwelling falls slightly short of the 25m rear-to-rear guidance in the Essex Design Guide (EDG). However, given that this is a first-floor to ground-floor relationship, the viewing angle is downwards and more oblique. The potential for significant overlooking is therefore materially reduced. It is noted that within the dismissed appeal, the inspector did not conclude that the overlooking impacts from No. 54 to the proposed dwelling would be significantly harmful, taking into account mitigation through obscure glazed fenestration.
18. Concerns previously raised regarding a tandem layout are now less applicable. The reduced scale of development mitigates the visual and privacy implications that might typically arise from this kind of arrangement.
19. With regard to the new side access, its position between Nos. 54 and 56 remains a consideration. However, this is a common arrangement for backland proposals, and its use by a single additional dwelling is unlikely to generate significant levels of noise, light, or disturbance. The inspector previously did not raise objection to the access in principle, and with appropriate surface treatments and boundary protection, the impact on neighbouring amenity is not considered to be materially harmful.
20. Although the Council's SPD2 states that accessways close to existing dwellings can be unacceptable where they cause detrimental harm through noise, dust or disturbance, this must be considered in the context of scale and frequency. A single dwelling, accessed by an established vehicle crossover, is not anticipated to result in an unacceptable level of nuisance. Moreover, there is no evidence that this would undermine community cohesion, safety, or inclusive access, which are key tests of paragraph 135(f) of the NPPF.
21. Overall, the revised scheme is considered to represent a more considered and appropriate form of development, which now satisfies the key design and amenity principles outlined in the NPPF and local policy. Where a shortfall in EDG distances occurs, this is justified by the single-storey form and less direct nature of potential views. A suitable condition has been imposed in the recommendation to ensure that the proposed landscaping would mitigate any views which may arise from land level differences. It is considered that the proposal would offer a good standard of living accommodation for future occupants, without materially harming the amenities of neighbouring residents, and as such is deemed acceptable in design and amenity terms.

Garden sizes

22. The NPPF seeks that the creation of places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
23. Supplementary Planning Document 2 (Housing Design) requires the provision of a minimum useable private garden area for new dwellings of 100m² with the exception of one and two bedroom dwellings which can provide a minimum garden area of 50m².
24. The proposal is for a 2-bedroomed dwelling. The proposed garden area of 91 square metres exceeds this, therefore satisfying the garden area requirements set out in the SPD2.

Sustainability

25. 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.
26. 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.
27. 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.
28. The proposed dwelling is described by the applicant as a two bedroomed house in the submitted plans. The dwelling is considered to be a two bedroomed, four person dwelling with one storey. To ensure that the development would be sustainable for all future occupiers, the scale of the scheme would require a minimum Gross Internal Area of 70m² with 2.0m² of built-in storage. The scheme would provide a gross internal area of 108 square metres with some 8 square metres storage and complies with the minimum standards above for a two bedroom, four person dwelling.

Impact upon Highway Safety

29. The Essex Parking Guidance (2024) set out the minimum parking requirements for new residential development, based on accessibility levels and the number of bedrooms proposed. For a two-bedroomed dwelling in a location of moderate to high accessibility - such as this site, which is within close walking distance of Rayleigh town centre, bus routes, and the railway station - the standard requirement is for two off-street parking spaces, each measuring 2.9m x 5.5m. Where garages are proposed, they must measure a minimum of 7.0m x 3.0m internally to be counted as a usable parking space.
30. The proposal includes a garage and driveway for the new dwelling, and revised parking arrangements to serve the host dwelling at No. 54. Whilst the internal dimensions of the proposed garage is shown at 7m x 5.1m meeting the above guidance, the hardstanding to the front of both dwellings provides sufficient space for at least two vehicles to park off-street, in accordance with the minimum size standard.
31. Importantly, there is no shortfall in the overall number of spaces proposed. Each dwelling is capable of accommodating two independently accessible off-street spaces within the site curtilage, and the shared access drive allows for safe entry and exit. There is also sufficient space for turning within the site, helping to avoid reversing onto the highway.
32. Given the site's sustainable location and the availability of usable off-street parking for both the existing and proposed dwellings, the proposal is considered to comply with Policies DM1, DM3 and DM30 of the Rochford Development Management Plan and the updated Essex Vehicle Parking Standards (2024). The parking layout is functional, safe, and does not result in harm to the street scene or highway safety.

Ecology regarding development within the zone of influence (ZoI) for the Essex Coast RAMS (Recreational Disturbance Avoidance Mitigation Strategy)

33. The application site falls within the 'Zone of Influence' for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMs). This means that residential developments could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressures.
34. The development for one dwelling falls below the scale at which bespoke advice is given from Natural England. To accord with NE's requirements and standard advice and Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMs) Habitat Regulations Assessment (HRA) record has been completed to assess

if the development would constitute a 'Likely Significant Effect' (LSE) to a European Site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment are listed below:

HRA Stage 1: Screening Assessment – Test 1 – the significant test

Is the development within the zone of influence (Zol) for the Essex Cost RAMS?

- Yes

Does the planning application fall within the following development types?

- Yes. The proposal is for one additional dwelling

Proceed to HRA Stage 2: Appropriate Assessment - *Test 2 – the integrity test*

Is the proposal for 100 houses + (or equivalent)?

- No

Is the proposal within or directly adjacent to one of the above European designated sites?

- No

35. The current proposal has been considered in respect of the Habitat Regulations, taking account of advice submitted by Natural England and the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) developed by Essex County Council which seeks to address impacts (including cumulative impacts) arising from increased recreational activity. The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) was adopted by Rochford District Council on the 20 October 2020. Advice from Natural England in August 2018 has been followed and the HRA record template completed.

36. The conclusion of the HRA is that, subject to securing appropriate mitigation, the proposed development would not likely result in significant adverse effects on the integrity of the European site along the Essex coastline.

37. The applicant has paid the suggested financial contribution to contribute towards longer term monitoring and mitigation along the coastline, to mitigate adverse impact from the proposed development on the European designated sites by way of increased recreational disturbance.

On Site Ecology

38. The preamble to Policy DM25 (Trees and Woodland) states: Some individual or groups of trees are protected through Tree Preservation

Orders or TPO's. Development which would result in the loss or deterioration of groups and/or individual trees of local importance should be avoided (even if they are not afforded a nature conservation designation).

39. Policy DM25 states that:

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

'Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate. Consideration should be given to the impact on the landscape character area and the findings of the Rochford District Historic Environment Characterisation Project (2006) when considering the potential loss of trees and/or woodland, and the replacement of these.'

40. Paragraph 131 of the NPPF also explains that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. It states that existing trees should be retained wherever possible.

41. An updated Arboricultural Survey, Impact Assessment, Method Statement, and Tree Protection Plan has been submitted in support of the application. These documents identify the existing tree stock, assess the impact of the development on retained trees, and set out appropriate protection and mitigation measures to be implemented throughout the construction period.

42. The revised scheme continues to propose the removal and management of a number of trees and groups, primarily located within the rear garden area of No. 54, to facilitate development and ensure a safe and usable garden space for the new dwelling.

43. The Council's Arboricultural Officer initially raised concerns regarding the loss of T19 which is protected by a Tree Preservation Order and occupies a prominent position at the site frontage. Although the tree has shown some signs of decline, there was no justification for its removal, and the officer confirmed that any loss would require replacement planting in accordance with TPO regulations. There was a need for further details regarding the proximity of the proposed garage and driveway to trees T11 and T12 and the potential encroachment

within the Root Protection Areas (RPAs), as well as the need for crown lifting works to facilitate access and prevent future conflict with the new built form.

44. Following these comments, the applicant's arboricultural consultant submitted further clarification confirming that the proposed garage would utilise mini piles and ground beams, with no trench excavation, thereby avoiding direct impact on the RPAs of nearby trees. Having reviewed the additional information, the Council's Arboricultural Officer has confirmed that the approach is acceptable and that there is no objection to the scheme on arboricultural grounds, subject to the submission and approval of an updated Tree Method Statement and associated details prior to commencement.
45. It is therefore considered that the revised proposal satisfactorily addresses previous concerns regarding potential harm to protected and retained trees although it is acknowledged that the submitted elevations for the garage did not reflect the level. The garage is proposed to sit below the ridge height of the proposed dwelling. Subject to the inclusion of an appropriate condition securing the updated arboricultural method statement, the proposal is acceptable in this regard.
46. In this context, the proposal is considered to strike an appropriate balance between development and tree retention and as such, the proposal is considered acceptable in relation to Policy DM25 of the Development Management Plan and relevant provisions of the NPPF (2024).

Other Ecology:

47. A Preliminary Ecological Appraisal has been submitted in support of the application.
48. The report confirms that the existing garage building offers negligible potential for bat roosting, and no further survey work is required in this regard. The report confirms there would be no other significant harm to other ecology on site as a result of the proposal subject to measures highlighted in section 4.2.

Biodiversity Net Gain

49. 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).

50. 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. The names of the applicants who would occupy the dwelling have been provided by the planning agent.
51. The applicant has not therefore been required to provide any BNG information.
52. 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.
53. It is 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

54. The application site lies within Flood Zone 1 the area least at risk from flooding to where development should be directed. The area proposed for the new dwelling is not at risk of surface water flooding, according to the latest surface water flood risk mapping. While the existing dwelling sits within an area of low risk of surface water flooding, this does not extend to the proposed dwelling footprint

Equalities and Diversity Implications

55. 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.

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

57. 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.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: No comments received.

Essex County Council Highway Authority: No objection subject to conditions.

Neighbour representations:

Two objections have been received with comments summarised as below.

- Overdevelopment: Proposal represents inappropriate and unnecessary overdevelopment
- Tandem relationship: Development forms a backland/tandem layout considered poor design
- Loss of amenity and privacy: Significant overlooking
- Noise and disturbance: Concerns regarding increased traffic, vehicular noise, and activity from the new access and use of the garden area.
- Design and housing mix: Proposal adds limited value to housing mix or character.
- Loss of Hedging causes amenity issues.

Response to Neighbouring Comments

The majority of the issues raised by neighbours at 14 Warren Close and 52 High Road - including concerns regarding overdevelopment, tandem layout, overlooking, privacy, and the impact of the access drive- have been addressed within the report.

Other matters highlighted such as boundary issues are civil matters and are not material considerations to be addressed within a planning application.

No further material planning issues have been raised that would warrant refusal of the application.

Rochford Council Arboricultural Officer: No objection subject to conditions.

Relevant Development Plan Policies:

- National Planning Policy Framework 2024 (as amended).
- Core Strategy Adopted Version (December 2011) - CP1, H1, T1, T8

- Development Management Plan (December 2014) – DM1, DM2, DM3, DM4, DM5, DM25, DM27, DM30
- Essex Parking Guidance (2024)
- Supplementary Planning Document 2 (January 2007) – Housing Design
- The Essex Design Guide

CONCLUSION

58. The proposal is considered acceptable, complying with local and national policy and overcoming the previous reasons for refusal.

RECOMMENDATION: **APPROVE subject to conditions**

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:

507 – P01 dated 20.02.2025

507 – P02 Rev C dated 20.02.2025

507 – P03 dated 20.02.2025

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.

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, 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 having regard to Policy DM1 of the Council's Local Development Framework's Development Management Plan.

4. Prior to occupation, plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted, have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the

Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- paved or otherwise hard surfaced areas;
- existing and finished levels shown as contours with cross-sections (including level-thresholds) if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;

shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

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

5. Prior to first occupation of the development the garage for the proposed dwelling and vehicle parking and turning areas shall be provided as shown in principle on proposed plan P02 Rev C. Each parking space shall have dimensions in accordance with current parking standards and the vehicle parking areas and associated turning areas shall be retained in the agreed form at all times

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.

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

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

7. The dwelling hereby approved shall be first occupied by Timothy John Kirley and/or Sally-Anne Kirley and/or their dependants for a period of not less than 3 years from the date of first occupation.

REASON: The development hereby approved was 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.

8. No development, including groundworks or demolition, shall take place until an updated Arboricultural Method Statement and Tree Protection Plan, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out fully in accordance with the approved details.

REASON: To ensure the protection and long-term retention of trees of amenity value, in accordance with Policies DM1 and DM25 of the Development Management Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no roof alterations or the provision of additional rooflights or the provision of dormer windows shall be carried out under the provisions of Class B or Class C of Part 1 of Schedule 2 without the prior written consent of the Local Planning Authority.

REASON: To ensure control is retained over future roof alterations in the interests of residential amenity and privacy of adjacent occupiers in accordance with Policy DM1 of the Development Management Plan.

10. No development shall take place, including any groundworks or demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of:

- a) parking of operatives' and visitors' vehicles;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials; and
- d) wheel-washing / measures to prevent the deposition of mud and debris onto the public highway.

The development shall be constructed in accordance with the approved CMP.

REASON: To ensure safe and efficient operation of the highway during construction, in the interests of residential amenity and highway safety, in accordance with Policies DM1 and DM30 of the Rochford Development Management Plan.

11. No loose or unbound materials shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To prevent the displacement of loose material onto the highway in the interests of highway safety, in accordance with Policies DM1 and DM30 of the Rochford Development Management Plan.

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