



**PLANNING APPLICATIONS WEEKLY LIST NO.1750**  
**Week Ending 28th March 2025**

**NOTE:**

- (i). Decision Notices will be issued in accordance with the following recommendations unless **ANY MEMBER** wishes to refer any application to the Development Committee on the 24/04/2025.
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **2nd April 2025** this needs to include the application number, address and the planning reasons for the referral via email to the PBC Technical Support team [pbctechnicalsupport@rochford.gov.uk](mailto:pbctechnicalsupport@rochford.gov.uk) .If an application is referred close to the 1.00pm deadline it may be prudent for a Member to telephone PBC Technical Support to ensure that the referral has been received prior to the deadline.
- (iii) Any request for further information regarding applications must be sent to Corporate Services via email.

**Note**

Do ensure that, if you request a proposal to go before Committee rather than be determined through officer delegation following a Weekly List report, you discuss your planning reasons with Emma Goodings Director of Place. A planning officer will then set out these planning reasons in the report to the Committee.

Index of planning applications: -

- 1. Recommended Approve - 24/00793/FUL - Hambro Nurseries  
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Application No :	24/00793/FUL      Zoning : MGB
Case Officer	Mrs Elizabeth Milne
Parish :	Rawreth Parish Council
Ward :	Downhall And Rawreth
Location :	Hambro Nurseries Chelmsford Road Rawreth
Proposal :	Demolition of existing buildings and construction of new buildings for use within the Use Classes B8 (Storage and Distribution) or E(g)(ii) Light Industrial. Use of part of site for open storage (Use Class B8). Demolish existing and construct new building to be used as a badminton court (Use Class E(d)). Provide car and cycle parking and landscaping.

## **SITE AND CONTEXT**

1. The site is located on the eastern side of and has an existing vehicular access onto Chelmsford Road. The red-lined application site is an area of some 2.5 hectares with additional land adjoining this under the same ownership. The existing use of the site is a mix of agricultural and horticultural use along with light industry, storage and distribution and trade use.
2. There are numerous buildings on the application site, largely glasshouses, as well as a timber building used for badminton and cart lodges to the south of the site. A portal framed storage and distribution building is located outside of the red line application site boundary and within the blue line boundary on the location plan to the rear of the site, this building would remain unaffected by this application. There is hardstanding across almost the entire site. The ridge height of the existing glasshouses range between 3.950m to 3.625m, and the height of the badminton building is some 5.65m. For context, the storage and distribution building (although not within the application site) has a height of some 11m and is sited on the eastern boundary.
3. The site is bordered by land immediately to the east which is designated as existing open space in the adopted Development Plan. The site also borders undeveloped, open land to the north. To the south the site borders Clovelly Works which is largely in commercial use including general industrial use (Use Class B2) and storage and distribution use (Use Class B8). Planning permission was granted in 2022 (21/00869/FUL) for the creation of 12 no. new compounds with single storey buildings for use within Use Class E(g) (uses carried out in a residential area without detriment to residential amenity) on land south of the application site to the east of the existing commercial site at Clovelly Works. There are a number of residential dwellings in close

proximity to the application site to the west and either side of the site's access and beyond the neighbouring commercial site to the south.

## **PROPOSAL**

4. The proposal would involve the demolition of existing glasshouses within the red lined site and the construction of buildings with a total floor area of some 7033sq m. There would be a reduction in floor area across the site as a result of the proposal, but the height of proposed buildings (save for the badminton building) would be double the height of the existing glasshouses. The proposed height of the new commercial buildings would range from approximately 6.1m to 8.59m.
5. The existing timber badminton building is in a poor state of repair, and the proposal includes the demolition and rebuilding of this building, which would be relocated slightly to the north in order to facilitate parking to the front. The badminton court is intended to serve as a leisure facility for the occupiers of the site and would not result in any additional vehicle movements.
6. The buildings to be retained within the wider site are largely located towards the western boundary, with the addition of the storage and distribution building to remain which is sited on the eastern boundary. It is in the central part of the site where most of the demolition and the construction of most of the new buildings is proposed. The three largest of the buildings proposed would be sited close to the boundaries of the site and around a central parking area.
7. Thirty-two individual units are proposed, each with an internal area of some 150sq metres. Two larger units are proposed, measuring some 1,060 square metres and 1,250 square metres.
8. The building to be sited furthest west would accommodate one of the larger units, Unit 32. This unit would have a floor space of 1250 square metres, an eaves height of 5.1m and a ridge height of 8.349m. The cycle and refuse store would be located to the south of this building.
9. The building to be sited against the northern boundary would comprise of 14 attached individual units measuring 150sq m each. This building would have an eaves height of 5.1m and a ridge height of 7.680m.
10. The building proposed to be sited adjacent to the southern boundary would comprise of 16 attached individual units measuring 150sq m each, which connect onto one larger unit in an 'L' shape. The larger unit (Unit 17) is located on the eastern end of this block and would have a floorspace of 1060sq m. The block of small units would have an eaves height of some 5.34m and a ridge height of some 7.8m, whilst the larger unit would have an eaves height of 5.23m and a ridge height some 8.59m.

11. The re-build of the badminton building would have a floorspace of 157sq m, an eaves height of 4.936m and a ridge height of 6.139m.
12. The proposed scheme includes the provision of 145 parking spaces, including eight disabled bays and 16 with EV charging capacity from the outset, and ducting for future capacity of 20% of the spaces. Thirty-two covered cycle spaces are proposed across the site, along with seven spaces for powered two wheelers.
13. In terms of external facing materials, the proposed buildings would feature corrugated metal sheeting to the walls and roof; some elevations would feature a brick plinth. Shutter doors would be installed, and elevations would feature other fenestration including some glazed entrance doors, in some cases made a feature of with surrounding full height glazed panels.
14. A new open-sided building is proposed in the south-eastern part of the site.
15. The aim of the proposal is to provide a mix of accommodation, with the majority of units having a floor area of 150sq m in order to accommodate smaller businesses. The buildings have been designed in such a way that units within them could be amalgamated if a business requires a larger floor area.
16. Landscaping is proposed including the planting of a number of trees and planting beds. Permeable paving is proposed to the parking spaces and a tarmacadam surface is proposed to the remaining vehicle circulation areas.

## **RELEVANT PLANNING HISTORY**

17. 21/00286/DPDP16. Application to determine if prior approval is required for a proposed lattice tower, equipment cabinets and ancillary infrastructure. Permitted.
18. 08/00729/COU. Change use of building from horticultural storage to use class B8 for storage or as a distribution centre. Permitted.
19. 08/00240/COU. Change of use of a horticultural building to B8 use for storage or as a distribution centre. Permitted.

## **MATERIAL PLANNING CONSIDERATIONS**

20. 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.

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

#### Green Belt

22. The site is designated as Green Belt which national and local planning policy seeks to protect in order to prevent urban sprawl by keeping land permanently open.
23. Policy GB1 of the Core Strategy seeks to protect the Green Belt by directing development away from the Green Belt as far as practicable. This policy identifies that Green Belt land will be protected based on how well the land helps achieve the purposes of the Green Belt. Rural diversification will be encouraged as long as activities do not significantly undermine the objectives or character of the Green Belt.
24. Policy DM10 of the Development Management Plan identifies the circumstances in which the development of previously developed land (PDL) in the green belt will be supported. Land previously/last in agricultural use would not be classed as previously developed land although at this site parts of the site which were not previously/last in such use would be. The proposed commercial development would meet criteria (iii), (iv) and (v) of this policy, being a site with good connections to the strategic road network – in close proximity to main trunk roads including the A130 and opportunities for employees to access the site by means other than the private car including on foot and by bus.
25. Policy DM11 of the Development Management Plan supports existing businesses in the Green Belt allowing for replacement buildings in certain circumstances. In this case there are lawfully existing businesses at the site and the proposed development would result in a net reduction of footprint/floorspace. Whilst some of the proposed buildings would have a greater ridge height, given the reduction in floorspace the proposal would not be considered to lead to significant adverse impact on openness.
26. Recent changes to national planning policy include more circumstances in which development within the Green Belt is not considered to be inappropriate; this now includes development in parts of the Green Belt defined as 'grey belt land' in certain circumstances. In this case the site is considered to meet the definition of grey belt land and would also satisfy the other requirements as set out in national policy (para. 155 of the NPPF) in order to be considered appropriate development in the green belt. Paragraph 155 reads as follows: -

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
  - b. There is a demonstrable unmet need for the type of development proposed.
  - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework and
  - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.
27. Grey belt land is defined in the Annex to the NPPF. For a site to meet the definition it must not strongly contribute to the purposes of green belt land relating to the prevention of unrestricted sprawl of large built-up areas, the prevention of neighbouring towns from merging into one another or the preservation of the setting and special character of historic towns.
28. The site is currently developed but uses relating to agriculture are excluded from the definition of PDL. Paragraph 155 does not however only relate to PDL but any land within the green belt can be regarded as grey belt land where criteria (a), (b), (c) and (d) are met. There is no definition of sprawl in the NPPF, but consideration must be given to the relationship of the site to the surrounding large built-up areas. The proposed site is neighboured to the west by residential development and to the south by commercial development but is bordered by undeveloped open land to the east and north. The proposed development falls entirely within the existing developed site. As a result of the location and characteristics of land surrounding the site, the site is not considered to make a strong contribution to purposes of preventing the unrestricted sprawl of nearby large built-up areas.
29. There would be no reduction in the extent of undeveloped, open land as a result of this proposal and therefore it would not strongly contribute to the purpose of preventing neighbouring towns from merging into one another. The site is not located in close proximity to any historic towns.
30. Where a development would utilise grey belt, it must also not fundamentally undermine the purposes (taken together) of the remaining green belt across the area of the plan. The other purposes of green belt relate to safeguarding the countryside from encroachment and assisting in urban regeneration by encouraging the recycling of derelict and other urban land. The development proposed would not be considered to cause harm to the green belt in terms of causing encroachment of development into the countryside as the proposed development falls entirely within the developed part of the site as it currently stands. It can be concluded that the proposal would not fundamentally undermine the purposes of green belt land taken together.



31. With regard to Paragraph 155(b), the proposal includes a significant number of small units measuring 150 sq m and there is a recognised need within the District for such accommodation. The 2024 Employment Land Study found that there is a need for new employment space to take account for the loss of employment space elsewhere to residential development. The consultation response received from the Council's planning policy team supports the view that there is a need for the type of development proposed.
32. Paragraph 155(c) requires that the development would be in a sustainable location. The site is located on Chelmsford Road, the A1245. This is a main road with good connections to the A130, A13 and A12. Two bus stops are located at Bedloes Corner which serve five bus services with routes between Chelmsford and Southend on Sea, Witham to Southend on Sea and Southend Airport to Stansted Airport. It is considered that the site is in a sustainable location. The site is also within walking distance of a cluster of residential properties in the immediate locality. There is safe access to the site for all including for pedestrians with a pedestrian footway from the site access to the nearby residential development to the south.
33. The proposed development of the new buildings for B8 and or E(g)(ii) use is considered to be appropriate development in the green belt by virtue of para. 155 of the NPPF.
34. Paragraph 154(d) of the NPPF sets out that the replacement of a building is acceptable in the green belt, provided the new building is in the same use and not materially larger than the one it replaces. The proposal includes the replacement of the badminton building. The existing building has a floorspace of some 180sq m, and a height of 5.65m as set out in the supporting statement. The proposed replacement badminton building would have a height of 6.139m and a floorspace of some 140sq m. Whilst there would be a slight increase in height of this building, there would also be a reduction in floorspace and as a result it is not considered that the proposed replacement building would be materially larger than the existing.
35. The proposed development falls to be assessed in relation to relevant green belt policy in the adopted Development Plan but in addition account must be taken of changes to national green belt policy which is a material consideration in the determination of this application. The proposal has been assessed against paragraphs 154 and 155 of the NPPF, and the conclusion reached that the development would be appropriate development within the green belt. It is not therefore necessary for very special circumstances to exist to justify the development within the green belt.

## Impact on Character

36. The site is located within the village of Rawreth in an area where there is a mix of commercial and residential development. The site itself is already developed with some light industrial and storage and distribution uses already operating from it. An area of the site is proposed for open storage use. The proposed buildings would be industrial in appearance and functional for the purpose for which they are designed. Fenestration including the full height glazing around entrance doors would add interest to the elevations which would front the central parking and circulation area. It is considered that the proposed development would not result in a significant impact upon visual amenity or the character of the area.

## Residential Amenity

37. The closest dwelling to the part of the site to be redeveloped is High Acre. A letter of support from the occupiers of this property has been included within the submission, in particular stating that the proposed redevelopment would improve their outlook onto the site into a well maintained, modern facility. One of the proposed buildings would be sited off the boundary of the site shared with this property compared to the existing glasshouses in this location which are on the shared boundary. The new commercial building would have a greater height, but it is considered that the building would not result in unreasonable impact on residential amenity by way of overshadowing or the building appearing overbearing. The existing glasshouses are located some 20m from the closest elevation of this dwelling and this separation distance would increase to some 25m as a result of the proposal. It is not considered that this would result in a significant impact on the amenity of this dwelling. The proposed replacement badminton building would be sited closer to the shared boundary with High Acre but not significantly and it is considered that sufficient separation would still exist to guard against harm to residential amenity.
38. High Acre and The Croft sited to the west/north of the site, also utilise the access road into the site to gain access to their properties. Hambro Lodge and Gwithian are located facing onto Chelmsford Road either side of the access road into the site. The submitted Transport Statement sets out that the number of vehicle movements is unlikely to be significantly greater than existing, and therefore it is not considered that there would be a significant impact on the amenity of these dwellings as a result. A condition to limit times during which the uses can operate is however recommended given that a 24 hour operation may lead to vehicle movements and other activity which could cause harm to residential amenity. A letter of support from the occupier of The Croft has also been submitted with this application.
39. Uses falling within Use Class E(g), including the specific use class E(g)(ii) applied for in relation to some of the proposed buildings, are



defined as uses which can be carried out in a residential area without detriment to its amenity. The proposed badminton court which would fall within Use Class E(d) would also not be use likely to cause harm to residential amenity by way of noise nuisance. Two windows are proposed to the northern elevation of the building which would face the south eastern boundary of High Acre. There are already windows in the northern elevation of the existing badminton building. The main residential amenity space for this dwelling appears to be located to the west of the dwelling which would not be impacted by the relocation of this building.

40. The proposed B8 storage and distribution uses and area of the site for open storage would not be considered likely to generate noise likely to detrimentally affect residential amenity but noise associated with delivery vehicles and other vehicle movements associated with these uses could generate noise impacts which may result in impact on amenity depending on the time of day. A condition to control the hours during which the uses could operate is recommended given that the proposal would likely intensify the existing level of commercial activity at the site.

#### Trees, hedgerows and landscaping

41. A tree survey and tree constraints plan, arboricultural impact assessment and method statement have been submitted. The tree cover at the site consists entirely of off-site mature remnant trees in neighbouring gardens, all of which are considered to provide high levels of amenity and ecological value. No trees or pruning works would be required to facilitate this application. The foundations of one of the existing buildings proposed for demolition are located within the radial root protection area of trees numbered T2, T4, T5 & T6. The arboricultural method statement and tree protection plan set out how the trees can be retained and protected throughout construction, and this has been considered by the Council's arboricultural officer and found to be acceptable.
42. Soft landscaping is proposed within the site and includes tree planting in central strips which would act to help soften the otherwise swathe of car parking within the central area of the site. A planning condition is recommended to require precise details of the proposed soft landscaping to be agreed including planting method and maintenance plan to ensure long terms health of the trees.

#### Highways and Parking

43. The site benefits from an existing access onto Chelmsford Road, the A1245 and it is proposed that this access would be retained and utilised for the proposed development. ECC Highways Authority raise no objection to the proposal.

44. Essex County Council Highways Authority have adopted new parking standards in 2024 and as such any new development would need to comply with the updated minimum standards set out within this document. Rawreth is located in an area of 'low' connectivity and in such areas, the following standards apply:

Use Class	Parking provision
B8 Storage and Distribution	1 space per 150sq m, plus HGV parking
E(g)(ii)	1 space per 60sq m

45. A total of 145 parking spaces are proposed for this application. In total, there would be some 10,928sq m of commercial floorspace as a result of this application together with the existing buildings within the wider blue line site, with an intended flexible use of B8 or E(g)(ii) light industry. With the standards applied above, the site would require 73 spaces if the site was fully occupied with a B8 use, and 182 spaces if the site was fully occupied with an E(g)(ii) use. As it is intended that the site has a flexible use between the two, the proposed 145 spaces are considered acceptable for this proposal. No HGV parking provision is to be provided on site, however as the site is intended for small scale light industrial and storage use, it is not anticipated that such provision would be required.
46. A total of eight disabled bays are proposed. The proposal also includes provision of sixteen spaces with EV charging from the outset and ducting for future capacity of 20% of the spaces. Thirty-two covered and secure cycle spaces are proposed across the site, in addition to 12 spaces within a Sheffield stand and seven spaces for powered two wheelers. Four cycle stores, each with a maximum storage capacity of 8 bicycles, are shown on the proposed site plan and street scene drawing, 3722.05 Rev D, with the plans and elevations of these stores set out on drawing 3722.08.

### Ecology

47. Policy DM27 requires that development should not cause harm to protected species and their habitat. Where harm would arise, conditions will be imposed to secure the protection of protected species, minimise disturbance to them and or provide compensatory habitat to sustain current levels of population.
48. The results of a preliminary ecological survey of the site have been submitted. Habitat at the site has been assessed for its potential to support protected species including birds, amphibians, invertebrates, reptiles, badgers, dormice, hedgehogs, otters, water voles and bats.
49. Whilst there were records of bats within 2km of the site, it was determined that all built structures on site had negligible potential for roosting bats, however it was considered possible that commuting bats

may follow the line of the hedgerow along the southern boundary of the site. As a result, it is recommended that construction works are limited to daylight hours (excl. dawn and dusk) in order to prevent disturbance to night-time foraging activity. The use of artificial lighting post construction should be limited where possible and motion sensors on outside lighting would prevent prolonged disturbance.

50. The hedgerow along the southern boundary may also provide a suitable nesting habitat for birds. Any trees on site should be protected with HERAS fencing before any works commence.
51. No evidence of badgers, hedgehogs or dormice were found during the site visit however the site has potential to support foraging badgers and hedgehogs, and therefore it is recommended that construction works should be limited to daylight hours in order to prevent disturbance to night-time foraging activity. Any trenches or other excavations left open overnight should be well covered to deter Badgers from entering, or provided with an escape ramp to allow any hedgehogs that fall into escape. It is also recommended that during hibernation season, piles of leaf litter and logs should be retained to ensure hibernating hedgehogs are not harmed. By way of enhancement, the applicant has indicated that bat and bird boxes would be installed.

#### Biodiversity Net Gain

52. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity and this is now mandatory under the Environment Act 2021 for all development unless one of the exemptions applies. This application would not be exempt.
53. Exactly how the development would achieve the mandatory 10% BNG is a matter which would be dealt with in the discharge of the mandatory condition post issue of a planning consent. The developer would have to submit a Biodiversity Gain Plan for the Council's approval. An informative is recommended to highlight the need for the BNG condition to be discharged prior to commencement of development.
54. Whilst formally agreeing how the development would achieve the required 10% BNG is a post planning consent matter, in determining whether to grant planning permission the Local Planning Authority should be reasonably satisfied that a Biodiversity Gain Plan could be approved and the BNG condition discharged, and this requires appropriate application of the Biodiversity Gain Hierarchy. This hierarchy requires that BNG is delivered through on-site habitat enhancement/creation first (after avoidance of impacts on-site where possible) before off-site compensation is considered with the last resort being the purchase of biodiversity credits.

55. In this case the applicant has indicated that the required 10% BNG would be delivered via on-site habitat enhancement and creation. The on-site habitat creation would include the planting of native species rich hedgerows, trees, nectar rich wildflowers and ornamental fruit trees. It is considered that the proposed development would be able to satisfy the Biodiversity Gain Hierarchy.

#### Flood Risk

56. The site falls within Flood Zone 1 as designated by the Environment Agency (EA), where the risk of flooding is considered to be low.
57. A proportion of the site is shown to be at risk from surface water flooding on the EA's surface water flood map, with the majority of the site classified as low risk. A site-specific flood risk assessment has been submitted as part of this application.
58. The flood risk assessment sets out that there are numerous unnamed ditches located to the north and east of the site, all of which appear to be tributaries of the River Crouch. Although not documented, it is suggested that the ditch located along the eastern boundary of the site would be classified as an 'Ordinary Watercourse'. The report concludes that due to the isolated nature of the surface water flood extent and the flood depth below 300mm, that a formal drainage system would alleviate the flood risk. As such no mitigation measures are proposed.
59. A Sustainable Drainage System (SuDs) strategy has been submitted as part of the flood risk assessment in order to manage roof runoff and runoff from the areas of hardstanding using geo-cellular storage. Submission of a detailed surface water drainage strategy would be required by condition.
60. The site is considered to be at low risk from all assessed sources of flooding and would not increase surface water flood risk off site.

#### Environmental Sustainability

61. Policy ENV8 of the Core Strategy requires that non-residential developments of 1,000 square metres or more should secure at least 10% of their energy from decentralised and renewable or low-carbon sources, unless this is not feasible or viable. Information submitted with the application indicates that solar photovoltaic panels would be installed and a planning condition to secure at least the policy minimum requirement is recommended.
62. Policy ENV10 of the Core Strategy requires that new non-residential buildings, as a minimum, meet the BREEAM rating of 'Very Good', unless such requirements would render a particular development economically unviable. In cases where it is considered appropriate to relax the requirement to meet the BREEAM rating of 'Very Good' due to

viability issues, the Council will still expect development to meet as high a BREEAM rating as is economically viable. A planning condition is recommended to ensure that this policy is complied with.

#### Economic Benefits

63. Policy ED1 of the Core Strategy identifies that the Council will look to encourage development that enables the economy to diversify and modernise through the growth of existing businesses and the creation of new enterprises including supporting the role of small and medium sized businesses, having regard to environmental issues and residential amenity. This proposal would support the role of small and medium sized businesses in the district and this benefit weighs in favour of the proposal.

### **EQUALITIES AND DIVERSITY IMPLICATIONS**

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

### **CONCLUSION**

67. The site is considered to meet the definition of grey belt land and the proposal would also satisfy the other requirements of para. 155 of the NPPF in order to be considered appropriate development in the green belt, together with para. 154.
68. Paragraph 11 of the NPPF refers to the presumption in favour of sustainable development. In this case the proposed development would be appropriate development in the green belt and no adverse impacts which would significantly and demonstrably outweigh the benefits would result when assessed against the national planning policies taken as a whole, having particular regard to key policies for

directing development to sustainable locations, making effective use of land, and securing well-designed places.

69. The proposal utilises a site which is already largely developed, and which provides little contribution to the purposes of the Green Belt in its current form. Its redevelopment would provide purpose-built employment space comprising units of a size for which there is a current unmet need in the District, making effective use of the land in a sustainable location. The proposal is therefore considered to be acceptable.

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

Parish Council: No comments.

Neighbours: No comments received.

Archaeology: No archaeological comment will be required.

Lead Local Flood Authority

No objection subject to conditions:

1. No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
  - Limiting discharge rates to 12 l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event.
  - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
  - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
  - Final modelling and calculations for all areas of the drainage system. This includes modelling of the permeable paving representative to the final drainage layout.
  - Provision of calculations for the 1-year storm event. No surcharging should occur in the system for this storm event where possible.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.



- Consideration of including water butts within the drainage scheme.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

2. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority. The Klargestær should be included within the maintenance plan.

Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

3. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

ECC Highways:

No objection subject to conditions;

1. The proposed development shall not be occupied until such time as the vehicle parking areas as shown in principle on planning drawing 3722.05 Rev A, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
2. 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.

3. 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.

Place Services Ecology:

No objection subject to conditions:

1. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (ROAVR Group, October 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

2. Prior to Commencement: Habitat Management and Monitoring Plan

If significant on-site enhancements are included within the approved Biodiversity Gain Plan, a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

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

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

- initial enhancements, as set in the HMMP, have been implemented; and

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

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

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

### 3. 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 Ecological Appraisal Report (ROAVR Group, October 2024), shall be submitted to and approved in writing by the local planning authority.

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

- Purpose and conservation objectives for the proposed enhancement measures;
- detailed designs or product descriptions to achieve stated objectives;
- locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- persons responsible for implementing the enhancement measures; and
- 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.

Environment Agency:

No comments. The site is in flood zone 1.

Arboricultural Officer:

An arboricultural impact assessment in accordance with BS 5837 2012 has been provided by ROVAR Group. The tree protection is suitable in order to protect the retained trees at / adjacent the site.

The works specification for the demolition phase is suitable.

The specification for tree protection (ground and barrier) is suitable.

The method statement and tree protection plan ref 4\_5837\_09\_01, should be part of the approved documents.

#### Essex Police – Designing Out Crime

Security forms a key part of a sustainable and vibrant development, and the Essex Police Designing Out Crime Office (DOCO) considers that it is important that this development is designed incorporating the maximum achievable benefit of Crime Prevention Through Environmental Design for which Secured by Design (SBD) is the preferred enabler. SBD is the official police security initiative that works to improve the security of buildings and their immediate surroundings to provide safe places to live and work and is designed to address emerging criminal methods of attack. This reflects sections 92, 112 and 130 of the NPPF.

Whilst there are no apparent concerns with the layout of this site, Essex Police requests that the developer seeks to achieve the relevant Secured by Design accreditation for this development, which in this case will be Secured by Design Commercial Developments.

Lighting plays a pivotal role in deterring criminal activity but also promotes a feeling of safety within that space. When designing both public and private space, and when applied and designed correctly, lighting can reduce the potential for crime. Essex Police recommend that lighting design meets the current relevant standard (i.e., the newest standard for street lighting BS5489-1 2020).

With HGV and cargo crime being prevalent across Essex, careful consideration is required regarding the design of the proposed access road and parking for the proposed development. According to NaVCIS (National vehicle crime intelligence service,) Essex remains the area with the highest number of cargo crime reports, and therefore, it is important that the design of this area promotes good design and staff welfare.

A good secure boundary around the entire site and, in this case with an open plan development, to the rear and/or side of a building, will frustrate an intruder intent on breaking in and will also serve to limit the size and quantity of goods that can be easily removed. We would welcome the opportunity to discuss this with the applicant.

Cadent Gas: No objection

#### RDC – PLANNING POLICY

A useful and relevant extract from the Clovelly Works application: “The council's Employment Land Study Update identifies that there is a mismatch between the supply of, and demand for, grow-on space across the county, with both industrial and office space being in short supply. This shortage of grow-on space was found to be particularly pronounced in the Rochford

District. This development proposal has been designed to enable on site growth by providing a wider range of small and medium sized units”.

I note the applicant’s letter of January 2025, citing the Employment Land Study 2024 entry on Clovelly Works plus the section on new site allocations. Whilst we have reached no position on whether any sites should be formally allocated in the Local Plan, the present ELS estimates that the new local plan should provide a minimum of 9-10ha of new employment space until 2040, in order to account for turnover and loss of older employment space to other uses (particularly residential). Whilst these figures are now in need of an update given the revisions to standard method for housing need released in December 2024, it is likely that the uplift in housing need will necessitate a higher figure. The redevelopment of Hambro Works would effectively introduce new employment space to the District. Whether this is calculated on gross terms by the land area (3.18ha) or purely in terms of the amount of employment space proposed (6,870 sq. m), this would provide a significant contribution towards the District’s projected need.

In terms of the need/unmet need for specific types of employment space, this is tricky to quantify exactly. The existing (2023) EDNA suggests that, on balance, the existing known supply of future allocations and permissions was sufficient to cover projected demand across the as-then envisaged New Local Plan period to 2040. As outlined in paragraph 3.41 of the EDNA, this balance results in a demand/supply balance surplus of between +860 and +66,000 sq. m, dependent on which of the four scenarios are applied. The EDNA recommends the more ambitious Scenarios 2 (Growth Scenario) or 4 (Labour Supply) are the most closely aligned with historic growth patterns, with Scenario 2 reflecting policies in Rochford and South Essex to attract business growth and new inward investment. Scenario 2’s projection of +860 sq. m over the plan period suggests existing supply is sufficient to account for expected growth, with a small surplus remaining. This is, of course, before we considered the likely windfall loss across the plan period which the ELS estimates would result in that need for 9-10 ha of new provision.

However, there are variations within this overall demand vs supply of employment space. One scenario indicates gross requirements for employment space in Rochford District over this period, whilst another shows how this is balanced against expected supply (from existing allocations and permissions). The EDNA suggests that Scenarios 2 or 4 are the more likely, based on historic trends and aligned with the District’s economic growth priorities. Evidence from the EDNA suggests that under the more likely scenarios 2 and 4, there are likely to be shortfalls in both office and light industrial use classes up to 2040, whilst scenario 2 would also indicate a shortfall in availability of distribution space. It is also important to note that most of the projected supply was large units on developments such as Airport Business Park and Arterial Park, and therefore not suitable for the small and medium-sized enterprises making up the majority of the South Essex business base.

Rochford policy team are currently working on commissioning an EDNA refresh as changes in economic trends plus the greater housing need uplift brought in last December are likely to have an impact on this.

The distinction may be less about the need for pure quantum of employment space by type and more about the niche requirement for space that meets the needs of specific segments of the economy that the market doesn't always deliver. This was the case made for Clovelly Works and the application here is similar, albeit on a larger scale. Qualitative factors such as the desire to attract inward investment and the need to provide specialist/niche accommodation (e.g. start-up or grow-on space, both noted to be in short supply), should be considered. Section 6.27 of the ELS makes a policy recommendation for specific policies to support units of 0-150 sq. m and 150-500 sq. m (i.e. start-up/grow-on space). This echoes the 2020 Grow On Space Study and the 2024 Commercial Property Market Review. The proposal includes provision for 30 x 150 sq. m units, in addition to a couple of larger units. The majority of the units proposed fall within the 'grow-on' space category and it is further noted that there are options for them to be combined with adjoining units, providing options for businesses to start with a single unit and expand into adjoining units as they grow. It is considered that the proposal would go some way towards provision of good quality space in this category. This is a positive of the scheme.

The findings of the 2020 South Essex Grow-on Space Study are considered to still be relevant. Despite some progress in provision of more modern space in this category (e.g. the units at The Quad, Airport Business Park), the majority of space for SME businesses and those seeking to grow remains dated and poor quality. The 2024 Commercial Property Market Review, an addendum to the EDNA, notes CoStar data indicates that a large proportion of the industrial units are ageing, with over 80% of Rochford's industrial premises built before the year 2000. Some of the largest business parks in the District, including Purdeys Industrial Estate and Brook Road Industrial Estate also have constraints to access. The poor quality and inflexibility of the existing industrial stock has pushed up demand for newer developments. In particular, there is high observed demand for medium-sized units, especially from smaller to medium sized businesses who have outgrown their existing premises. This is evidenced by the reported popularity of 12 flexible use units developed at the Airport Business Park, as well as a number of firms leasing multiple units to satisfy their floorspace requirements. Future planning policy should seek to respond to the needs of local businesses by facilitating the delivery of high-quality units at a range of small to medium sizes. It also states While there is strong demand for storage and distribution space as identified in the Rochford EDNA (2023), there is also demand for units which provide flexibility across a range of uses including light industrial, storage and distribution, as well as offices. Flexibility in use class designations within planning policy should be applied to allow future supply to be adapted to the specific requirements of individual businesses and respond to changes in demand. This would appear to support the proposal that these units have a flexible use for both E(g) and storage/distribution.



We also wrote at the time that although no local study exists for employment space within the start-up bracket the planned units cater for, there is strong anecdotal evidence that there is a demand for such units, and that they are not typically developed in the district in any significant quantity. It is likely that the general quality of small industrial/workshop units in the district follow a similar pattern to that picked out for grow-on space in the South Essex Grow On Space Study, i.e. that they are generally of low quality and not suited to the needs of many modern businesses, therefore proposals that deliver higher-quality employment space are welcomed. Also, new employment allocations we have seen developed out (e.g. the Airport Business Park, or Arterial Park at Michelins Farm, are typically larger units, fitted to a higher-end specification that would probably not be suitable or affordable to the kinds of tenants listed at Clovelly Works in their statement. We do need to be mindful of the need to provide for such enterprises. A scheme providing small business units of a similar size (Little Stambridge Hall Farm) does have permission, however this has not yet been built out and is some distance from this site. Since this time I understand the Little Stambridge Hall units have completed, however these are some distance from the site in question. A scheme (23/00569/OUT) has also been approved at Great Wakering which could meet some demand for start-up and grow-on space, however this also includes office and larger industrial elements and has only at this point been approved at an outline stage. It is also a considerable distance from the site in question.

This application also includes the response to para. 154e of the current NPPF related to whether such a scheme might constitute limited infill in a 'village'.

With respect to para.155b and demonstrable unmet need, as it stands, I would suggest there remains an unmet need for small-scale industrial space (including both E(g) and B8) at the start-up and grow-on stages, despite some advances in provision, including the development of small business units at Little Stambridge Hall and the Quad, Airport Business Park, as well as a permission on the adjacent Clovelly Works site for further small industrial units.

On leisure, I would point to our 2022 Retail & Leisure Needs Assessment (RLNA) (which we are looking again to refresh shortly to reflect the uplift in housing need). I don't know whether the badminton court was previously available to the public or whether it was in a state that rendered it unusable. However, if the space is effectively new (and I note there is provision for a gym alongside the court), this provision is likely to help meet growing demand. The RLNA identifies a need for 2,610 sq. m of new commercial leisure space in the district by 2035 and 3,960 sq. m by 2040, based on the high growth scenario (which is likely to be closer to the reality now the housing need uplift has been introduced). Considering gyms, the demand for fitness stations in a high growth scenario is projected to increase by +229 stations by 2035 (about 4 or 5 medium sized facilities), increasing to +317 by 2040 (about 6 medium sized facilities). The demand for additional indoor sports hall space is something the forthcoming Playing Pitch and Built Facilities Strategy will need to address, although I would expect given the housing need uplift that the

general West Rayleigh/Rawreth area would benefit from an increase in provision which this proposal could contribute to.

As a general connectivity and placemaking comment, this is a significant quantum of employment space which, alongside the leisure space to be made available to the community, will attract more businesses, workers etc to Rawreth and may contribute to its potential to function as more of a 'place' or 'village'. Rawreth itself has a very small/dispersed population so it is likely most occupiers and workers will be incoming from elsewhere, so it is important to consider whether existing public and active travel linkages are sufficient or whether anything could be sought to enhance these. The road location on the A1245 is advantageous but the area does experience significant congestion and linkages to nearby Rayleigh and the newer residential areas could definitely be better. The footway on Rawreth Lane, particularly once you get to the stretch around Rayleigh Cricket Club/Rawreth Pavilion, is very narrow and not conducive to walking or cycling. The new LCWIP for Rochford (see this link) identifies Rawreth Lane as being part of a future secondary cycle network.

**Relevant Development Plan Policies:**

National Planning Policy Framework – December 2024

Core Strategy Adopted Version (December 2011)

Development Management Plan (December 2014)

Essex Parking Guidance (2024)

The Essex Design Guide

Planning Practice Guidance

**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 approved plans referenced:

3722.01 Rev A (Location Plan)

3722.05 Rev A (Proposed Site Plan and Street Scene)

3722.11 Rev A (Block plan with schematic infill)

3722.10 Rev A (Block Plan with schematic proposal overlay)  
3722.08 (Badminton Unit and External Store)  
3722.07 Rev B (East and South Blocks floor plans and elevations)  
3722.06 Rev C (North West Block floor plans and elevations),  
24\_5837\_09\_01 (Tree Protection Plan)  
Arboricultural Method Statement (dated 03.10.2024)

REASON: To ensure that the development is undertaken in accordance with the approved plans as considered.

3. No development shall commence, before details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority, shall be those used in the development hereby permitted.

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

4. The proposed Electric Vehicle Charging Points shall be provided as set out on drawing 3722.05A and must be fully operational on the first occupation of the development. These charging points shall be the 3-7kW charge points. This provision or an equivalent replacement / or as may be upgraded in future shall be retained in perpetuity over the lifetime of the use.

REASON: To future proof the development and to ensure that the development achieves sustainability in its design in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1 and policy CP1 of the Core Strategy, Chapters 9 and 12 of the National Planning Policy Framework (July 2021) and the provisions of the Essex Design Guide.

5. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (ROAVR Group, October 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and

Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

6. The proposed development shall not be occupied until such time as the vehicle parking areas as shown on planning drawing 3722.05 Rev A, including any parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays in accordance with surfacing materials and marking out details that shall have been submitted to and agreed in writing by the Local Planning Authority. The vehicle parking areas and associated turning areas shall be retained in the agreed/approved form at all times. The vehicle parking spaces shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety and to ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety, in accordance with Policy T8 of the Rochford District Council Core Strategy and DM30 of the Rochford District Council Development Management Plan. In the interests of visual amenity.

7. Prior to first occupation of the development, the proposed cycle parking comprising 32 covered and secure cycle spaces and 12 spaces within a Sheffield stand shall be provided in accordance with the details submitted within drawing numbers 3722.08 and 3722.05 Rev D. This cycle parking shall be retained on site in the approved form in perpetuity.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy T6 of the Rochford District Council Core Strategy.

8. 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.

9. No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 12 l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system. This includes modelling of the permeable paving representative to the final drainage layout.
- Provision of calculations for the 1-year storm event. No surcharging should occur in the system for this storm event where possible.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Consideration of including water butts within the drainage scheme.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to first beneficial use/occupation of the development hereby approved.

#### REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
  - To ensure the effective operation of SuDS features over the lifetime of the development.
  - To provide mitigation of any environmental harm which may be caused to the local water environment.
  - Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.
10. Prior to first beneficial use/occupation of the development hereby approved a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority. The Klargester should be included within the maintenance plan.

Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

11. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with the Maintenance Plan agreed in relation to planning condition no. 10 above. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

12. All buildings within the site shall achieve a BREEAM rating of 'Very Good' unless this cannot be achieved for reasons of viability in which case details of the BREEAM rating that can be achieved, including details to demonstrate the viability case to demonstrate why the 'Very Good' rating cannot be achieved, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. If an alternative BREEAM standard is approved for any building this shall be met.

REASON: To achieve compliance with Policy ENV10 of the Core Strategy.

13. Within 6 months of the commencement of development the specification and details of bat and bird boxes on the site shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, these shall be installed on site within 2 months and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of providing ecological enhancements as identified in the submitted ecological appraisal report.

14. Use of the buildings hereby approved, and use of the open storage area hereby approved at the site shall not take place and no plant/machinery shall be operated and no deliveries shall be taken at or dispatched from the site outside the hours of 06:00 to 20:00 on any day.



REASON: To enable the Local Planning Authority to retain adequate control over hours of use, in the interests of residential amenity.

15. The floorspace of the Units 1 – 16 within the South Block (as shown on drawing no. 3722.07 Rev B) and Units 18-31 within the North Block (as shown on drawing no. 37722.06 Rev C) shall be maintained as individual units with a floorspace of no more than 150 square metres each as shown on the approved plans in perpetuity save for an allowance for units within these buildings to merge by up to 3 units and a combined maximum floor space within any unit of 450 square metres. No unit within the South Block or North Block shall have a floor area exceeding 450 square metres.

REASON: To allow for some flexibility in the interests of promoting economic growth but to ensure provision of smaller scale/'start-up' units for which there is an identified unmet need and which provides justification for the development within the green belt.

16. No development shall commence, before 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;
  - precise details of tree planting method which is appropriate for trees to be planted in areas largely surrounded by hard landscaping;
  - after-care plan following initial planting;
  - long-term maintenance/management plan for planting;
  - existing trees to be retained;
  - paved or otherwise hard surfaced areas;
  - existing and finished levels shown as contours with cross-sections if appropriate;
  - means of enclosure and other boundary treatments;
  - car parking layouts and other vehicular access and circulation areas;
  - minor artifacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc);
  - existing and proposed functional services above and below ground level (eg. drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc);

shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. The agreed after-care plan shall be implemented and the long-term maintenance/management plan shall be implemented for a period of 5 years following initial planting. 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.

17. A Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

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

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

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

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

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

REASON: To secure management of on-site biodiversity net gain as required by Schedule 7A of the Town and Country Planning Act 1990.

18. Prior to the occupation of any building within the site hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how at least 10 per cent of the energy from the development would be provided from renewable or low carbon sources (taking into account the recommendations set out in the submitted energy report prepared by NFU Energy dated September 2024 White Peak Planning dated December 2019 Ref 2019.001.003). The measures, as agreed, shall be implemented prior to the occupation of the dwellings to which the measures relate.

REASON: To comply with Policy ENV8 of the Core Strategy.

19. No additional openings including doors, windows and as may be required for plant and machinery extraction/ventilation (flues/vents etc) shall be installed to the western elevation or roof of the proposed west block in addition to those hereby approved and as shown on drawing 3722.06 Rev C unless otherwise approved in writing by the LPA. The doors to be provided to the western elevation (as shown on the aforementioned approved elevation plan) shall be for emergency escape only and shall not be opened or propped open unless for use in an emergency at any time.

REASON: In the interests of residential amenity and to reduce the ability of internally generated noise to escape from the buildings.

20. No good(s), articles(s), product(s) or other material(s), together with any plant, machinery or equipment, shall at any time be stored above a height of 4 metres from ground level on the open storage area to the south eastern corner of the site marked on drawing No. 3722.05 Rev D.

REASON: To enable the Local Planning Authority to retain adequate control over such storage, in the interests of visual amenity and the Green Belt.

21. Notwithstanding the provisions of Article 3, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) the buildings hereby approved shall be used only for purposes within the B8 and/or Eg(ii) use classes and for no other purpose.

REASON: To enable the Local Planning Authority to retain adequate control over such uses, in the interests of residential amenity, adequate parking provision and the green belt.

22. The building hereby approved for use as a badminton court as shown on approved plan 3722.08 shall only be used as a badminton court ancillary to and by persons employed in connection with the commercial use of the site and for no other purpose.

REASON: In the interests of residential amenity, provision of adequate parking and in the interests of the green belt.

*Informative:*

#### 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 are considered to apply.

The local Ward Member(s) for the above application are Cllr J Newport, Cllr C Stanley and Cllr J E Cripps.