



PLANNING APPLICATIONS WEEKLY LIST NO. 1753
Week Ending 18th April 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 in May 2025
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **23rd 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 .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 – 24/00396/FUL - 74 Malting Villas Road
Rochford PAGES 2-14

Application No :	24/00396/FUL Zoning : No allocation
Case Officer	Mrs. Elizabeth Milne
Parish :	Rochford Parish Council
Ward :	Roche North And Rural
Location :	74 Malting Villas Road, Rochford, Essex.
Proposal :	Conversion of semi-detached dwelling into two self contained flats (resubmission following refusal of application ref: 23/00743/FUL)

SITE AND PROPOSAL

1. The site is located to the northern side of Malting Villas Road and is approximately 45m east of the junction of Malting Villas Road and The Drive. Its principal elevation fronts the highway and faces south whilst the rear garden of the property is to the north of the dwelling. Beyond the rear boundary is a cul-de-sac called Bobbing Close and all the dwellings are located on the northern and the western end of the cul-de-sac. To the east is a similar pair of semi-detached dwellings at No.72 and No.70 Maltings Villas Road.
2. The existing street scene consists predominantly of semi-detached, two storey dwellings and bungalows that front the highway. Further to the north-east are recreation fields, to the north and south is further residential development. Further residential development is located on either flank boundary.
3. The application dwelling is a semi - detached, two storey dwelling. It is adjoined on its west boundary to No.76. Almost all the semi-detached two storey dwellings have the same form, and it is presumed they were identical in design when first erected as part of a wider estate development. The application dwelling has a two-storey pitched roofed front projection following the approval of application 20/00561/FUL.
4. The existing property is a four/five bedroomed dwelling with a rear garden area measuring some 112sq metres and a large driveway and parking area to the front. The proposal would convert the dwelling into two self-contained flats, a one-bedroomed flat and a two-bedroomed flat, each comprising an open plan kitchen, living, and dining area and a bathroom. The previous plans have been amended such that the proposal no longer includes a new door to the front elevation, with both flats now proposed to be accessed by the same front door and a separating wall located on entry providing access to the first floor flat.
5. The existing garden area would be divided between the proposed dwellings. Some 50sq. m. of garden area immediately to the rear of the dwelling would be allocated to the ground floor flat, marked flat A on

the plans. The remaining garden area to the rear, some 62sq. m. along with side access to reach it, being allocated to the proposed first floor flat, marked flat B on the plans. An additional 10.4sq. m. of amenity space for flat A is proposed to the front of the dwelling. Three parking spaces are possible to the driveway.

RELEVANT PLANNING HISTORY

6. Application No. 23/00743/FUL. Conversion of semi-detached dwelling into 2 self-contained flats.

Refused for failure to provide a mechanism to secure suitable mitigation in the form of a standard contribution towards the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMs) or otherwise.

Incorrect reason for refusal due to measurement error relating to Nationally Described Space Standards.

7. Application No. 20/00561/FUL. Single storey rear extension with two storey addition to front, side and rear. Approved 3rd September 2020.

MATERIAL PLANNING CONSIDERATIONS

8. 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.
9. 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).

Design Principles: Appearance and Scale

10. The National Planning Policy Framework sets out the government's planning policies for England and was revised in December 2024. Previous revisions increased the focus on design quality, not only for sites individually but for places as a whole. Terminology is also now firmer on protecting and enhancing the environment and promoting a sustainable pattern of development. The Framework at Chapter 2 highlights how the planning system has a key role in delivering sustainable development in line with its 3 overarching objectives (Economic, Social and Environmental) which are interdependent, and which need to be pursued in mutually supportive ways such that opportunities can be taken to secure net gains across each of the different objectives.

11. The social objective of national policy is to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. Furthermore, we now also have the National Design Guide which builds upon and supports the emphasis for successful place making and the necessary elements required to support this objective.
12. The National Planning Policy Framework at Chapter 12 emphasises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The Framework at paragraph 135 advises that planning policies and decisions should ensure that developments will, among other things, function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities where appropriate).
13. It also emphasises that development should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space). New development should support local facilities and transport networks and create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.
14. The Framework at paragraph 139 indicates that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of

design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

15. These principles at the district level are embedded within the council's Local Development Framework's Development Management Plan and Core Strategy including policies DM1 (Design of New Developments), DM25, DM30, and Core Strategy policies CP1 (Design).
16. Policy DM1 also requires that proposals have regard to the advice and guidance on the design and layout of new developments as set out in Supplementary Planning Document 2: Housing Design. Part 15 of this document relates to the sub-division of single dwellinghouses within residential areas and states that the Local Planning Authority is keen to encourage wherever possible the sub-division of single dwellings into smaller units of accommodation, but not at the expense of the residential amenity of surrounding properties. Part 15 of this SPD requires that car parking, gardens, appearance of the scheme, overlooking and privacy, internal layout and density are all taken into consideration.

Impact on Character

17. The site is located in a residential area largely consisting of two storey semi-detached dwellings. The proposal to convert the dwelling into two flats would not significantly alter the external appearance of the existing dwelling, however it would include the alteration of the first floor side windows to incorporate obscure glazing.
18. The proposed amendments to the first floor side facing windows are minor and serve to protect the amenity of neighbouring dwellings by the proposed change to obscure glazing.

Impact on Residential Amenity

19. The application site is adjoined on its western boundary to No.76. and to the east is a similar pair of semi-detached dwellings at No.72 and No.70 Maltings Villas Road.
20. The proposed amendments to the fenestration to side facing windows would result in a typical arrangement for a residential dwelling. As the first floor side facing windows would serve non-habitable rooms, they are proposed to be obscure glazed which would ensure no unreasonable overlooking or loss of privacy to the neighbouring occupiers. There are no changes proposed to the fenestration to the rear elevation, and the internal layout amendments would still result in the first floor rear windows serving bedrooms and therefore there is not considered to give rise to overlooking or loss of privacy by way of the proposed amendments, despite the rear garden area fronting Bobbing Close and therefore the public (rather than private) realm.

21. Whilst it is not considered that the internal layout proposed would result in noise disturbance to adjoining properties, an additional living area is proposed to the first floor. The provision of noise insulation material as a safeguard is covered by the Building Regulations which the appropriate mechanism to achieve a favourable outcome and compliance in this regard.

Living Conditions for Future Occupiers

Technical Housing Standards

22. 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.
23. 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.
24. 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.
25. In order to comply with the space standards the following need to be met:
- a dwelling with two or more bedspaces has at least one double (or twin) bedroom
 - in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide
 - in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²
 - one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
26. Flat A would provide one single bedroom with a width of 3.48m and a floor area of 13.5sq m. The flat would be considered a one bed two person dwelling which should provide 1.5sq m of storage. Built in storage measuring 1.5sq m is proposed and therefore this would meet the space standards for storage.

27. Flat B would provide two bedrooms and for a two bedroomed dwelling at least one bedroom should be a double or twin room which should be at least 2.75m wide. Bedroom 1 would have a width in excess of 2.8m and bedroom 2 would provide one bedspace and has a width of 2.53m, exceeding the requirement of 2.15m. The floorspace for both bedrooms exceeds the standards set out within the technical standards document. For a two bedroomed dwelling 2sq m of storage space should be provided and the proposed floorplan shows storage space measuring 1.6sq m, which is below the requirement. The storage space could be provided considering the gross floor space of the unit. It is considered on balance that the proposal is considered acceptable in this regard.
28. The technical standards also set out minimum gross floor space requirements for residential accommodation. One bedroomed units set over 1 floor should provide a minimum of 50m² of floor space. Flat A is a one bedroomed unit and would provide with its lobby area approximately 73m² of floor space which exceeds the standard. A two bedroomed unit set over 1 floor needs to provide a minimum of 61m². The submitted plan indicates an area of approximately 64 m² such that in gross floor space terms the standards are reached.

Refuse and Waste Storage

29. The Council operates a 3-bin system per dwelling consisting of a 240l bin for recycle (1100mm high, 740mm deep and 580mm wide), 140l for green and kitchen waste (1100mm high, 555mm deep and 505mm wide) and 180l for residual waste (1100mm high, 755mm deep and 505mm wide). A high-quality development would need to mitigate against the potential for wheelie bins to be sited (without screening or without being housed sensitively) to the frontage of properties which would significantly detract from the quality of a development and subtly undermine the principles of successful place making. The guidance states that wheelie bins are capable of being stored within the rear amenity areas of properties which have enclosed areas but there is a requirement for each dwelling to be located within approximately 20m (drag distance) from any collection point. In this case the side and rear garden space would provide adequate storage space whilst the drag distance is below 20 m which is considered satisfactory.

Garden Size

30. Supplementary Planning Document 2 requires that for flats, when built, the standard shall be:
- a) Minimum balcony area of 5 m², with the ground floor dwelling having a minimum patio garden of 50 m²; or
 - b) The provision of a useable communal residents garden on the basis of a minimum area of 25 m² per flat.

31. The existing garden area would be divided between the proposed dwellings. Some 50sq m of garden area immediately to the rear of the dwelling would be allocated to the ground floor flat, marked flat A on the plans. The remaining garden area to the rear, some 62sq m along with side access to reach it, is allocated to the proposed first floor flat, marked flat B on the plans. An additional 10.4m² of amenity space for flat A is proposed to the front of the dwelling.
32. The proposal would therefore be considered to provide sufficient amenity space to support the proposed development.

Density

33. The Local Planning Authority is conscious of the need to ensure the best use is made of land within the urban area to help reduce the pressure for development in the Green Belt. Nevertheless, a careful assessment will be made of the density of conversion proposals in relation to surrounding properties. Proposals which will result in over-development or unreasonably high density compared to the surrounding area will not be acceptable. The surrounding properties along Malting Villas Road are made up of largely semi-detached dwellings and bungalows. Whilst the proposal would lead to an increase in density in overall unit numbers terms visually there will be no outward impact of any note whilst the location is a sustainable location within walking distance of facilities and transport links. The development is considered acceptable in this regard.

Parking

34. Essex Highways have adopted new parking standards in 2024 and as such any new development would need to comply with the updated standards set out within this document. These standards are based upon connectivity, which has been mapped out in zones across the district and the guidance refers to the connectivity level of a site when considering residential vehicle parking provision. Rochford is located in an area of 'good' connectivity.
35. The adopted Parking Standard indicates that in areas of high connectivity, properties comprising one and two bedrooms should have a minimum of one off street car parking space and 0.25 spaces for visitors. The preferred parking bay size is 5.5 metres in depth and 2.9 metres in width increasing to 6m by 2.9m for parallel parking. A residential development would also require 0.25 visitor/unallocated vehicle spaces per unit.
36. The proposal includes the provision of space for three vehicles to park on the driveway to the front of the site measuring 2.9m by 5.5m, in accordance with Parking Standards Design and Good Practice guide (2024).

37. Supplementary Planning Document 2: Housing Design requires that where sub-division is proposed, that the spaces must be sited so as not to adversely affect the amenity of neighbouring residents or the character and appearance of the street. The property benefits from a large driveway to the front of the dwelling, as is typical along the street, and it is not considered that the parking arrangement proposed to the site frontage would be sited so as to be detrimental to the amenity of neighbouring properties. One neighbour comment has been received in relation to the parking area which suggests that the parking area is used by a large lorry. It is required by condition that each parking space proposed shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.

Ecology and RAMS (Recreation Avoidance Mitigation Strategy)

38. The proposed development will comprise 2 units of accommodation which are tantamount to dwelling houses despite being flats as they are units of accommodation capable of being occupied by a single person or by people living together as a family such that despite being a change of use by subdivision the requirements of RAMS as set out by the accompanying SPD (May 2020) still apply. The development will entail one additional unit and therefore RAMS mitigation applies to the development by reason of the additional unit being created.

39. The site is within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) zone of influence for the Crouch and Roach Estuaries Special Protection Area and Ramsar site. The proposed development falls within the scope of the RAMS as relevant development. Given that the proposal is for additional housing, and its proximity to the SPA there is a reasonable likelihood that it would be accessed for recreational purposes by future occupants of this development. This additional activity would have the potential, either alone or in combination with other development in the area, to have a likely significant effect on the European site.

40. The Conservation of Habitat and Species Regulations 2017 (the Regulations) require that the competent authority must ensure that there are no effects from the proposed development, either alone or in combination with other projects, that would adversely affect the integrity of the SPA. The likely significant effects arising from the proposal need to be considered in combination with other development in the area and adopting the precautionary principle.

41. The Essex Local Planning Authorities within the Zones of Influence have developed a mitigation strategy to deliver the measures to address direct and in-combination, effects of recreational disturbance on the SPA. The Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) sets out a strategic approach to mitigation by several councils across the wider area. It details mitigation measures that would be funded by financial contributions at a specified tariff per

dwelling. Since these include a range of habitat-based measures such as education, communication, and monitoring, and have been endorsed by Natural England (NE), the authority's position is that such measures would adequately overcome any adverse effects of the proposal on the SPA.

42. A tariff to fund the mitigation, which is payable for all additional new dwellings is currently set at £163.85 per dwelling. This mitigation payment has been paid and therefore the development is now policy compliant.

EQUALITIES AND DIVERSITY IMPLICATIONS

43. 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.

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

45. 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

46. The proposal is considered to be acceptable development.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: None received.

Essex Highways:

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

1. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
2. Prior to first occupation of the development and as shown in principle on planning drawing 23.101-01 Rev B. Three off-street parking spaces shall be provided and allocated to the flats. Both dwellings will share the vehicle access. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.
3. Prior to first occupation, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.
4. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.
5. 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.

Neighbour representations:

One response has been received from the following address:

Malting Villas Road:76.

And which in the main makes the following comments and objections:

- The applicant disregarded plans for 20/00561/ful from the beginning, converting the premises into flats and the loft space into rooms that are not shown on the plans submitted
- Concerns around the power supply which runs attached to the fascia board, enters the extension and comes out of the roof of the extension going across the driveway to supply 72 Malting Villas Road. Have been informed that this is against the law and also concern over how UK Power could get access if there was a power surge.
- It is stated that there is parking for two flats, this area is now a commercial parking area for a large builders lorry.

Relevant Development Plan Policies:

National Planning Policy Framework 2024.

Core Strategy Adopted Version (December 2011).

Development Management Plan (December 2014).

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

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

The Essex Design Guide (2018).

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:

Site and Location Plans: 23.101-01 Rev B
Proposed Elevations: 23.101-05 Rev B
Proposed Floor Plan: 23.101-04 Rev B

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

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

5. Prior to first occupation of the development and as shown in principle on planning drawing 23.101-01 Rev B. Three off-street parking spaces shall be provided and allocated to the flats. Both dwellings will share the vehicle access. 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.

6. Prior to first occupation, 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.

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

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

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.

The local Ward Members for the above application are Cllr. S. Wootton, Cllr. Phil Shaw and Cllr. Mrs. L. Shaw.