



PLANNING APPLICATIONS WEEKLY LIST NO. 1759
Week Ending 30th May 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 26th June 2025
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **4th June 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 – 25/00212/FUL - Land Adjacent 42 Lingfield Drive Rochford PAGES 2-21
- 2. Recommended Approve – 25/00096/FUL - Brookfields Farm Church Road Rawreth PAGES 21-31

Application No :	25/00212/FUL Zoning : Unallocated
Case Officer	Mr Richard Kilbourne
Parish :	Rochford Parish Council
Ward :	Roche North And Rural
Location :	Land Adjacent 42 Lingfield Drive Rochford
Proposal :	Proposed detached self-build house.

SITE AND PROPOSAL

1. The application site comprises a substantial two-storey detached dwelling, located within a generously proportioned plot on the southern side of Lingfield Drive, in a well-established and predominantly residential part of Rochford. The existing house is traditionally constructed from facing brick and features a hipped roof, presenting a modest yet functional architectural style. The property benefits from a large, well-maintained garden that wraps around both the side and rear elevations, enhancing the sense of space and separation from neighbouring properties.
2. The character of Lingfield Drive is notably eclectic, with a mixed and varied array of detached homes that vary significantly in both scale and architectural detailing. While no single design typology dominates, there is a clear residential rhythm along the street, punctuated by homes built using a rich and varied palette of materials, including differing shades and textures of facing brick, painted render, timber and composite cladding, and a variety of roof tiles. Despite this variety, the overall appearance of the area remains cohesive, with generous building plots and mature landscaping contributing to an attractive suburban environment. The application site itself stands out due to its particularly spacious plot, which is larger than most in the immediate vicinity.
3. The proposal seeks to subdivide this expansive plot in order to accommodate the construction of a new, two-storey detached dwelling to the western side of the existing house at No. 42. The proposed new plot (which is edged in red) would be elongated and rectangular in shape, covering an area of approximately 520m². The new dwelling would be provided with a dedicated area of private amenity space to the rear, and off-street parking to the front, in keeping with the surrounding residential pattern.
4. Importantly, the application does not propose any new vehicular access; instead, the new dwelling would utilise the existing dropped kerb access already serving the site. The proposal falls entirely within the defined residential envelope of Rochford, where infill development

of this nature is generally supported in principle, subject to appropriate design and impact considerations.

RELEVANT PLANNING HISTORY

5. Application No. 84//00727/FUL - Adj 44 Lingfield Drive Detached Chalet. Application – Permitted - 04.02.1985.
6. Application No. 11/00025/FUL - Raise Roof and Create Second Floor Incorporating Rooflights to Side Elevations, Single Storey Side Extension and Two Storey Rear Extension Including Rooms in the Roof, Front Porch and Bay Window. Construct Detached, Double Garage to Front - Refused - 10.03.2011.
7. Application No. 11/00377/FUL - Raise Roof to Create Second Floor with Rooflights in side Elevations. Single Storey Side Extension. Two Storey Rear Extension with Room in Roof. Front Porch and Bay Window. Construct Detached Double Garage to Front – Permitted - 15.08.2011

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).

Principle of Development

10. The National Planning Policy Framework 2024 (NPPF) encourages the effective use of land in meeting the need for homes whilst maintaining the desirability of preserving an area's prevailing character and setting. The NPPF sets out the requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. Good design is a key aspect of sustainable development and is indivisible from good planning and proposals should contribute positively to making places better for people.
11. The NPPF also advises that planning policies and decisions should ensure that developments:
 - a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
 - d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
 - e) Optimize the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
12. The NPPF also advises that planning decisions for proposed housing development should ensure that developments do not undermine quality of life and are visually attractive with appropriate landscaping and requires that permission should be refused for development that is not well-designed.
13. Policy H1 of the Council's Core Strategy states that in order to protect the character of existing settlements the Council will resist the intensification of smaller sites within residential areas. Limited infill will be considered acceptable and will continue to contribute towards housing supply, provided it relates well to the existing street patterns, density and character of the locality. The Council's Supplementary Planning Document 2 (SPD2) for housing design states that for infill development, site frontages shall ordinarily be a minimum of 9.25 metres for detached properties or 15.25 metres for semi-detached pairs or be of such frontage and form compatible with the existing form and character of the area within which they are to be sited. There should also, in all cases, be a minimum distance of 1 metre between the outside wall of habitable rooms and plot boundaries.
14. Policy CP1 of the Council's Core Strategy and Policy DM1 of the Council's Development Management Plan both seek to promote high quality design in new developments that would promote the character of the locality and enhance the local identity of the area. Policy DM3 of the Council's Development Management Plan seeks demonstration that infill development positively addresses existing street patterns and density of locality and whether the number and types of dwellings are appropriate to the locality

15. The application constitutes a full planning application submitted under Section 78 of the Town and Country Planning Act in respect of the subdivision of a site and construction of a new self-build dwelling in a predominantly residential area.

Housing Land Supply

16. Rochford District Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (NPPF). Consequently, in accordance with paragraph 11(d) of the NPPF, the 'tilted balance' is engaged. This means that the presumption in favour of sustainable development applies, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
17. The recent Annual Monitoring Review for Rochford Council states that the authority has a 5-year housing land supply of 4.53 years and as such the authority lacks a five-year supply of deliverable housing sites. By allowing this proposal there will be a NET increase in the number of dwellings (albeit by 1No.) and as such if the proposal was permitted it would contribute to the existing shortfall, which is an important material planning consideration.

Design

18. Good design is promoted by the National Planning Policy Framework (NPPF) as an essential element of sustainable development. It advises that planning permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area.
19. Policy CP1 of the Rochford District Council Core Strategy (2011) promotes high quality design, which has regard to the character of the local area. Design is expected to enhance the local identity of an area. This point is expanded in Policy DM1 of the Development Management Plan (2014) which states that; *'The design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity, without discouraging originality innovation or initiative'*. Policies DM1 and CP1 advise that proposals should have regard to the detailed advice and guidance in Supplementary Planning Document 2 (SPD2).
20. Policy DM1 seeks a high standard of design requiring that developments promote the character of the locality to ensure that development positively contributes to the surrounding built environment. Part (ix) of this policy specifically relates to the promotion of visual amenity, part (x) refers to establishing a positive relationship

with existing and nearby buildings and regard must also be had to the detailed advice and guidance in Supplementary Planning Document 2- Housing Design, as well as to the Essex Design Guide.

21. Paragraph 67 of the National Design Guide stipulates that well-designed places use the right mix of building types, forms and scale of buildings for the context to create a coherent form of development that people enjoy. Built form defines a pattern of streets and development blocks and will be dependent on (amongst other considerations) the height of buildings and the consistency of their building line in relation to the street itself. Paragraph 68 states that the built form of well-designed places relates well to the site, its context and the proposed identity and character for the development in the wider place.
22. Furthermore, The National Model Design Code (B.2.iii) discusses that building heights influence the quality of a place in terms of its identity and the environment for occupiers and users. The identity of an area type may be influenced by building heights, including in terms of its overall scale.
23. The issue is therefore whether this proposal is appropriate in terms of scale, height, position, materials and relationship with the surrounding area.
24. The proposal involves the subdivision of the residential curtilage at No. 42 Lingfield Drive and the construction of a two-storey detached dwelling within the newly created plot. The new plot would present a frontage of approximately 10.3m, while the host dwelling would retain a generous frontage of approximately 12m. These dimensions are considered proportionate and consistent with surrounding plots along Lingfield Drive, which display a varied but balanced streetscape characterised by wide frontages, generous spacing, and low-density suburban character. The proposal thereby maintains the sense of openness that defines the area.
25. The design of the proposed dwelling adopts a traditional yet sensitively modern architectural language. It would be constructed from facing brickwork under a concrete interlocking tile roof. The footprint of the dwelling would be rectilinear, measuring approximately 8m in width and 13m in depth, with a ridge height of 8.15m. These proportions are in keeping with the scale of neighbouring dwellings, and the structure would not extend beyond the front or rear building lines of the adjacent property at No. 42, thus preserving the continuity of the streetscape.
26. A key design feature is the use of a hipped roof, which reflects the mixed roofscape found along Lingfield Drive. The roof form assists in reducing the perceived bulk of the building and contributes to its visual integration within the street scene. A projecting gable (at ground floor level only) on the front elevation introduces depth and architectural interest, helping to break up the building's mass and avoid a box-like

form. Furthermore, a bay window at ground floor level and a pitched-roofed porch further add articulation and domestic scale detailing that enhances the dwelling's visual rhythm.

27. The street scene along Lingfield Drive is architecturally diverse, with no single prevailing house style. Dwellings vary in height, design, and materials, with a mixture of facing brick, render, tile-hung façades, and various forms of roof design. This diversity allows for some design flexibility, and in this context, the proposed mix of materials and detailing is considered contextually appropriate. The facing brick provides a contemporary interpretation of the local vernacular, ensuring the dwelling reads as both sympathetic and distinctive.
28. The proposed fenestration has been carefully considered, with windows arranged to provide a balanced composition that introduces both vertical and horizontal emphasis. On the front elevation, the pattern and placement of windows contribute to a well-proportioned and harmonious façade. The side elevations include more modest window openings, respecting neighbour privacy and reducing any perception of overbearing mass. To the rear, larger openings arranged with a clear rhythm provide visual relief and contribute to an attractive garden-facing elevation. This approach is successful in ensuring the elevations avoid monotony while enhancing the architectural quality of the design.
29. In spatial terms, the development comfortably accommodates the new dwelling within the site, without compromising the integrity of the existing garden layout or the setting of No. 42. The plot is larger than many others along the street, which allows for an appropriate separation distance of at least 1m to be retained from both side boundaries, complying with SPD2 guidance and avoiding the risk of terracing or coalescence. To the rear, the dwelling benefits from a substantial garden depth in excess of 24m, providing ample private amenity space and reinforcing the low-density character of the area.
30. To the front, the dwelling would be set back approximately 9.5m from the road, providing space for off-street parking and a landscaped frontage. This setback aligns closely with the existing dwelling at No. 42 and would maintain a consistent building line. The generous forecourt allows for the provision of parking without visually dominating the frontage, preserving the soft landscaped character that defines Lingfield Drive. This siting also allows for an active street frontage, enhancing natural surveillance and contributing to a more engaging public realm.
31. From a policy standpoint, the proposal adheres to the principles of good design as set out in Policies DM1 and DM3 of the Development Management Plan, as well as Policy CP1 of the Core Strategy. It reflects the objectives of the National Planning Policy Framework (NPPF), which advocates for development that responds positively to

local character and reinforces the distinctiveness of place. The development demonstrates a thoughtful approach to siting, form, and detailing and does so in a manner that would integrate well with the existing residential environment.

32. In summary, the proposed dwelling represents a well-considered and visually sympathetic form of infill development. It respects the proportions, materials, and spacing that characterise the surrounding built form, while introducing a modest and contextually responsive new home. The scale, massing, and articulation of the dwelling are appropriate to the site and its context, and the development as a whole would contribute positively to the street scene without appearing incongruous or overbearing. The proposal is therefore considered to comply with the requirements of Policies DM1 and DM3 of the Development Management Plan, Policy CP1 of the Core Strategy, SPD2, and the design-led guidance of the NPPF.

Impact on Residential Amenity

33. Paragraph 135 (f) of the framework seeks to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. This is reflected in Policy DM1, which seeks to ensure that new developments avoid overlooking, ensuring privacy and promoting visual amenity, and create a positive relationship with existing and nearby buildings. Policy DM3 also requires an assessment of the proposal's impact on residential amenity.
34. Amenity is defined as a set of conditions that one ought reasonably to expect to enjoy on an everyday basis. When considering any development subject of a planning application a Local Planning Authority must give due regard to any significant and demonstrable impacts which would arise as a consequence of the implementation of a development proposal. This impact can be in terms of overlooking, loss of light or creating a degree of overbearing enclosure (often referred to as the tunnelling effect) affecting the amenity of adjacent properties.
35. Paragraph 1.92 of the Essex Design Guide (2018) states that a separation distance of 25m should be retained between rear elevations of neighbouring dwellings where habitable rooms are located. Paragraph 1.94 of the same reduces this separation distance to a minimum of 15m where a dwelling is orientated at 30-degrees or more away from the dwellings to the rear.
36. Paragraph 1.96 of the Essex Design Guide states that new housing development must retain a minimum separation distance of 15m to the rear application site boundary wherein a development sits adjacent to the rear elevation of existing residential dwellings.

37. SPD2 guidance states that a two-storey development should not intrude into the 45-degree visibility zone of any rear facing neighbouring window to avoid restricting the amount of light into these windows. This guidance is based off BRE research. A development intruding into this 45-degree visibility zone is likely to restrict the amount of light received into a neighbouring dwelling.
38. The proposed dwelling is not considered to appear overbearing or overshadowing for No. 42. It would extend no further to the front or rear than No. 42 and would be of similar size to No. 42. The proposed development does not appear to intrude into the 45-degree visibility zone of any windows of No. 42 and is therefore unlikely to restrict the amount of light received into the windows of No. 42.
39. In respect of No. 36 the proposed dwelling appears to intrude into this 45-degree visibility zone when measured from the rear ground floor windows of No. 36. This intrusion, however, appears to be marginal (approximately 5 degrees). No. 36 is orientated in such a way that it does not sit parallel to the proposed dwelling but is orientated away slightly. This, in combination with the separation distance between the two-dwellings, is considered sufficient in this instance that the proposed infraction would not give rise to an unacceptable loss of light, and the proposed development is not considered to appear significantly overbearing or overshadowing in this instance.
40. In excess of 24m would be retained to the rear application site boundary and therefore the proposal is in accordance with Paragraph 1.96 of the Essex Design Guide. Similarly, the dwelling to the rear is set significantly forward in its plot, and as a result in excess of 25m would be retained to the rear elevation of this dwelling and the proposed dwelling. The proposal therefore accords with Paragraph 1.92 of the Essex Design Guide.

Garden sizes

41. The NPPF seeks that creation of places are safe, inclusive, and accessible which promote health and well-being, with a high standard of amenity for future occupiers.
42. Policy DM3 of the Development Management Plan requires the provision of adequate and usable private amenity space. In addition, the Council's adopted Housing Design SPD (SPD2) advises suitable garden spaces for each type of dwelling house. SPD2 states that a two-bedroom dwellinghouse should provide a minimum of 50m² of private amenity space, whilst a three bedroom dwelling shall provide a minimum of 100m².
43. It is acknowledged in this instance that the subdivision of the plot would reduce the amenity space of No. 42. Notwithstanding, approximately 168m² would be retained for No. 42 and the proposed dwelling would

have a private amenity space of approximately 214m². The proposed development therefore accords with Policy DM3 of the Development Management Plan and SPD2 guidance.

Sustainability

44. The Ministerial Statement of March 25th, 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.
45. 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.
46. 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.
47. The application proposes a four bedroomed dwelling, with 3No. double rooms, and 1No. single room, therefor accommodating 7No. people. The Technical Housing Standards require for a 7No. person dwelling, a minimum of 115m² is provided. The proposed dwelling would provide 182m² gross internal area and is therefore in accordance with the standards.
48. The standards also stipulate that a minimum of 2.5m² storage space be provided, whilst double rooms should have a minimum of 11.5m² of area, and single rooms 7.5m² of area. The proposed dwelling would be in accordance with the standards in this instance.
49. Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently, all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. A condition would be recommended in the event of approval to ensure compliance with this Building Regulation requirement if the application were recommended favourably.
50. In light of the Ministerial Statement which advises that planning permissions should not be granted subject to any technical housing

standards other than those relating to internal space, water efficiency and access, the requirement in Policy ENV9 that a specific Code for Sustainable Homes level be achieved and the requirement in Policy H6 that the Lifetime Homes standard be met are now no longer sought.

Drainage

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

Flooding

52. According to the Environment Agency's Flood Risk Map the application site is located entirely in Flood Zone 1, where there is the lowest probability of flooding from rivers and the sea and to where development should be directed. As such, the development is compatible with the advice advocated within the NPPF.

Refuse and Waste Storage

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

Impact on Highway Safety

54. Policies DM1 and DM3 of the Council's Development Management Plan require sufficient car parking, whereas Policy DM30 of the

Development Management Plan aims to create and maintain an accessible environment, requiring development proposals to provide sufficient parking facilities having regard to the Council's adopted parking standards.

55. In accordance with paragraph 116 of the framework, it must be noted that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
56. The submitted Design and Access Statement indicates that there will be no new access onto, or from the highway. The proposed dwelling would utilise the existing dropped kerb which is present to the front elevation of No. 42.
57. Essex County Council (henceforth ECC) were consulted as Local Highways Authority on the proposed development and do not wish to restrict the grant of planning in this instance subject to recommended conditions and informatives. ECC state *"The proposal includes subdivision of the site and provision of one new dwelling. An existing gated vehicle access shall be utilised, and two off-street parking spaces are included, therefore: from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority [...]"*
58. Essex County Council Parking Guidance (2024) requires that development provide off-street parking proportional to the site's connectivity level as defined in Appendix A of the same. The application site is located in an area deemed to have 'high' connectivity and therefore there is a requirement to provide 1No. off street parking space.
59. The application submission indicates that 2No. off-street parking spaces would be provided to the front elevation of the dwelling. The requirements of the Essex Parking Guidance are therefore considered to be met and the proposal is in accordance with Policy DM30. Two spaces would be retained for use by No. 42 and therefore No. 42 would still be compliant with the requirements.
60. Whilst it is acknowledged that the Design and Access Statement refers to technical parking standards, it is pertinent to note that these standards have been superseded by the adoption of the Essex Parking Guidance in January 2025. Notwithstanding, the proposal complies.
61. In conclusion, the Highways Authority has reviewed the submitted information and conclude there would be no unacceptable impact on highway safety or a severe impact on congestion. There is no reason for the Local Planning Authority to take an alternative view and any intensification resulting from the provision of 1No. additional dwelling in

this area is not deemed to be of such severity that would warrant refusal of the application. Overall, it considered that the proposal subject to the aforementioned conditions complies with the relevant policies contained within the Development Management Plan and the NPPF, and as such there is insufficient justification to warrant a refusal

Trees

62. Policy DM25 of the Development Management Plan states that:

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

Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.”

63. It is acknowledged in this instance that there is some vegetation and trees to the front elevation of the plot which would potentially be impacted by the development. These are indicated on submitted plan P1001. Notwithstanding this, however, the Case Officer checked the Council's GIS mapping and these trees are not protected by way of preservation. The application site is not located within a Conservation Area and as such these trees are not protected. The applicant would not need prior approval from Rochford District Council to remove these trees. Having regard to this, no further consideration of the impact on trees is considered necessary and the proposal complies with Policy DM25.

On-site Ecology

64. Paragraphs 192 – 199 of the National Planning Policy Framework indicate the importance of avoiding impacts on protected species and their habitat. Where impact is considered to occur, appropriate mitigation is required to offset the identified harm. The council's Local Development Framework Development Management Plan Policy DM27, requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible. In addition to the UK Biodiversity Action Plan, proposals for development should have regard

to Local Biodiversity Action Plans, including those produced at District and County level.

65. Following the production of Publicly Available Specification (PAS 2010) by the British Standard Institute (BSI), local governments now have clear guidelines by which to take action to ensure that they help halt the loss of biodiversity and contribute to sustainable development.
66. Section 40 of the Natural Environment and Rural Communities (NERC) Act (2006) places a duty on public authorities to have regard for the purpose of conserving biodiversity. PAS 2010 aims to reduce the Page 15 of 24 varied applications of this obligation, ensuring that all parties have a clearer understanding of information required at the planning stage. Section 41 of the NERC Act (2006) identifies habitats and species which are of principal importance for the conservation of biodiversity in England. There are 56 habitats and 943 Species of Principal Importance in England (SPIE), and most of the UK's protected species are listed under Section 41. Whilst the possible presence of a protected species is accompanied by legal obligations and will remain the first consideration of planning departments, the total biodiversity value of a site must now be considered.
67. The case officer notes that no ecological appraisal has been submitted with the application. The application posits the construction of a new dwelling. No alterations or demolition is proposed to the existing dwelling at the site. Furthermore, the site comprises maintained domestic garden featuring mown lawn including various shrubs and plants and areas of hardstanding. Consequently, given the aforementioned factors it is therefore unlikely to support protected species.

Off Site Ecology

68. The application site also falls within the 'Zone of Influence' for one or more of the European designated sites scoped into the emerging Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMs). This means that residential developments could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressures.
69. The development for one dwelling falls below the scale at which bespoke advice is given from Natural England. To accord with NE's requirements and standard advice and Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMs) Habitat Regulations Assessment (HRA) record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European Site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment are listed below:

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

Is the development within the zone of influence (Zoi) for the Essex Coast RAMS?

- Yes

Does the planning application fall within the following development types?

- Yes. The proposal is for one additional dwelling

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

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

- No

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

- No

70. As the answer is no, it is advised that a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the above European sites from recreational disturbances, when considered 'in combination' with other development. Natural England does not need to be consulted on this Appropriate Assessment.
71. As competent authority, the local planning authority concludes that the proposal is within the scope of the Essex Coast RAMS as it falls within the 'zone of influence' for likely impacts and is a relevant residential development type. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated sites through increased recreational pressure, when considered either alone or in combination. It is considered that mitigation would, in the form of a financial contribution, be necessary in this case. The required financial contribution has been paid to the Local Planning Authority.

BNG

72. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. A minimum 10 percent BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as

inserted by Schedule 14 of the Environment Act 2021 subject to some exceptions.

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

Equalities and Diversity Implications

75. 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.
76. The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, and pregnancy/maternity.
77. 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

78. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: No comments received.

Essex County Council Highways Authority: No objections to the proposal subject to conditions relating to no unbound materials, 2No. off street parking spaces to be provided, cycle parking, residents travel information pack, reception and storage of building materials and standard informatives.

London Southend Airport: Do not wish to restrict the grant of planning in this instance. They state: *“Our calculations show that, at the given position and height, the following planning applications will have no effect upon our operations. We therefore have no safeguarding objections.”*

Neighbour representations : No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework (December 2024).

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) – policies CP1, ENV1, T8.

Rochford District Council Local Development Framework Development Management Plan (December 2014) – policies DM1, DM3, DM4, DM8, DM9, DM10, DM25, DM27 and DM30.

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

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

The Essex Design Guide.

Natural England Standing Advice.

RECOMMENDATION: APPROVE

Conditions:

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

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

2. The development hereby approved shall be carried out in total accordance with the approved drawings labelled P1000 (Proposed Streetscene Plan, Block Plan and Location Plan) (as per date stated on plan March 2025) and P1001 (Proposed Elevations, Floor Plans, Site Plan) (as per date stated on plan March 2025).

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

3. The materials to be used shall be in strict accordance with those specified in the application unless different materials are first agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the external appearance of the building/structure suits the character of the location.

4. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site shall be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer shall consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system
4. to a combined sewer.

The applicant shall implement the scheme in accordance with the surface water drainage hierarchy outlined above.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

5. Prior to first occupation of the development, the developer shall provide Electric Vehicle Infrastructure to the following specification:
 - A single Mode 3 compliant Electric Vehicle Charging Point for the property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW Fast charging or the best available given the electrical infrastructure.
 - Should the infrastructure not be available, written confirmation of such from the electrical supplier shall be submitted to this office prior to discharge.
 - Where there is insufficient infrastructure, Mode 2 compliant charging may be deemed acceptable subject to the previous

being submitted. The infrastructure shall be maintained and operational in perpetuity.

REASON: To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable.

6. Prior to its use, details of the positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON: To ensure that boundaries within the development are adequately formed and screened in the interests of the appearance of the development and the privacy of its occupants Policy DM3 of the Council's Local Development Framework's Development Management Plan.

7. Prior to occupation, plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted, have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- paved or otherwise hard surfaced areas;
- existing and finished levels shown as contours with cross-sections if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;
- minor artifacts and structures (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. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type,

size and in the same location as those removed, in the first available planting season following removal.

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

8. Prior to any works above slab level, a Biodiversity Enhancement Layout for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for bespoke species enhancements; and
- b) locations, orientations and heights for bespoke species enhancements by appropriate maps and plans.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

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

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

10. Prior to first occupation of the development and as shown in principle on planning drawing P1001, the proposed dwelling shall be provided with two off-street parking spaces. Each parking space shall have dimensions 5.5m in depth and 2.7m in width in accordance with current parking standards and shall be retained in the agreed form at all times.

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

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

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

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

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

13. The dwelling hereby permitted shall be constructed as a self-build dwelling within the definition of a self-build and custom build housing in the Self-build and Custom Housebuilding Act 2015. The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years following completion of construction. Prior to the first occupation of the dwelling the Council shall be notified in writing of the person(s) who will take up first occupation of the dwelling.

REASON: The development permitted was exempt from mandatory biodiversity net gain as set out in the Environment Act 2021 due to it being a self-build development. This condition is required to ensure the development is a self-build in accordance with the definition. If the development was not self-build mandatory biodiversity net gain would be required.

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

Application No :	25/00096/FUL Zoning : MGB
Case Officer	Mr Richard Kilbourne
Parish :	Rawreth Parish Council
Ward :	Downhall And Rawreth
Location :	Brookfields Farm Church Road Rawreth
Proposal :	Change of use from use as a dog grooming facility (Use Class E) to use as a dog grooming and dog day care facility (sui generis use).

SITE AND PROPOSAL

1. The building the subject of this application is part of a wider estate known as Brookfields Farm. The building is a barn style building towards the west of the wider site. Brookfields Farm is situated on the western corner of Church Road in Rawreth and is in the Metropolitan Green Belt. The surrounding area is predominantly undeveloped land with many areas made up of agricultural fields. There is limited sporadic residential development to the east and south of the application site. The application site is also in Flood Zone 3.
2. The proposal is for the change of use from use as a dog grooming facility (use Class E) to use as a dog grooming and dog day care facility (sui generis use). The proposed use would retain the same footprint as the existing building. The building proposed for conversion is structurally sound and is still in use to house dogs as confirmed during a recent site visit.

RELEVANT PLANNING HISTORY

3. Application No. 08/00594/FUL - Single Storey Side and Rear Extension and Pitched Roofed Conservatory – Refused.
4. Application No. 11/00410/FUL - Single Storey Side and Rear Extension – Refused.
5. Application No. 12/00176/FUL - Construct Single Storey Side Extension – Refused.
6. Application No. 14/00599/FUL - Construction of a single storey side extension – Refused.
7. Application No. 22/01153/DPDP3M - Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Building to Dwellinghouse (Class C3) – Refused.
8. Application No. 23/00207/DPDP3M - Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Building to Dwellinghouse (Class C3). – Refused.
9. Application No. 23/00301/LDC - Application for a Certificate of Lawfulness for the proposed siting of a caravan within the curtilage of the existing dwelling and its use for purposes that are ancillary to the existing dwelling – Permitted LDC.
10. Application No. 24/00457/FUL - Alterations to existing building in sui generis use (as a dog grooming salon), to include alterations to the fenestration and the installation of new doors and windows – Approved.

MATERIAL PLANNING CONSIDERATIONS

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

Green Belt Considerations

13. Section 13 of the National Planning Policy Framework (NPPF, December 2024) reinforces the Government's long-standing commitment to the Green Belt, highlighting that great importance must be attached to its protection. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with its essential characteristics being openness and permanence. The NPPF makes clear that substantial weight must be given to any harm to the Green Belt when assessing planning applications. However, the NPPF does recognise that certain forms of development can be appropriate, provided they meet specific criteria.
14. Paragraph 154 exception c) of the NPPF identifies that the re-use of buildings as not inappropriate development within the Green Belt, provided the buildings are of permanent and substantial construction and the proposed use preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In this case, the application relates to an existing single-storey building of permanent and robust construction that is already in use as a dog grooming facility (Use Class E). The proposed change of use seeks to expand this operation to include dog day care services (sui generis use outside of any Use Class), all of which would be undertaken internally. No external alterations to the building are proposed, nor is there any intention to introduce new built structures such as kennels or outdoor enclosures.
15. The openness of the Green Belt will be preserved, as the development does not entail the erection of new structures, changes to the land, or the intensification of use beyond the existing footprint. Furthermore, the proposed use does not conflict with the five purposes of the Green Belt outlined in paragraph 143 of the NPPF. It would not result in urban sprawl, unrestricted growth, or encroachment into the countryside. The character and appearance of the area would remain unchanged, and the visual perception of openness would be retained.

16. It is also material to consider that the existing size and internal layout of the building provides a natural limitation on the intensity of the proposed use. With an approximate floorspace of 118m² and defined internal rooms, the physical constraints of the building restrict the potential number of dogs that could be accommodated on site at any one time. This inherent spatial limitation serves as an important control on the overall scale and intensity of the proposed activity, even without additional physical alterations or expansion.
17. Taking all of the above into account, the proposal is considered to represent appropriate development within the Green Belt in accordance with the provisions of the NPPF. The development would preserve openness, cause no encroachment into the countryside, and would not result in any demonstrable harm to the Green Belt's visual or spatial characteristics.

Supporting a Prosperous Rural Economy

18. The proposal aligns with the overarching objectives of national and local planning policy to support sustainable economic development, particularly in rural areas. Chapter 6 of the NPPF emphasises the need for the planning system to proactively support economic growth, noting that significant weight should be placed on the need to support local business and productivity. Paragraph 84 specifically promotes the sustainable growth and expansion of businesses in rural areas, including through the re-use of existing buildings and the diversification of agricultural and residential holdings.
19. The proposed development constitutes a logical expansion of an existing rural enterprise that has demonstrated demand and viability. The applicant has advised that the dog grooming element of the business has flourished, and regular clients have expressed interest in utilising day care services. The proposed development is therefore a direct response to a local need and represents a sustainable form of business growth, which aligns with national policy objectives. Moreover, the site is in a semi-rural area with appropriate access and space for parking, ensuring that the use can operate without placing undue strain on local infrastructure.
20. At the local level, Policy DM33 of the Council's Development Management Plan provides support for home-based employment uses where they are of an appropriate scale and do not cause undue harm to the amenity of the surrounding residential area. In this instance, the proposed use will operate within an existing building on private land with considerable separation from neighbouring properties. The building is located within a generous plot and benefits from a degree of screening by existing boundary treatments and ancillary buildings. There is no evidence to suggest that the scale of the operation would be incompatible with its setting or result in harm to the wider residential environment.

Impact on Character and Residential Amenity

21. The proposed development would not involve any changes to the external fabric of the existing building. Its architectural form, siting, and material treatment would remain unaltered, and all activities associated with the dog grooming and day care use would be carried out entirely within the existing structure. As such, the development is considered to have a neutral impact on the visual appearance of the site and its surroundings.
22. The site lies within a semi-rural area comprising a mixture of detached dwellings, equestrian uses, and agricultural land, with buildings typically occupying large plots. The subject building is single-storey, modest in scale, and set well within the applicant's wider residential curtilage. It is not readily visible from public vantage points and does not intrude upon the openness of the surrounding countryside. The absence of any external alterations or additional built form ensures that the proposal maintains the spatial character of the locality and complies with Policy DM1 of the Development Management Plan, which seeks to ensure that new development respects local character and does not detract from the visual amenities of the area.
23. With respect to residential amenity, the principal concerns relate to the potential for noise, odour, and disturbance resulting from the intensification of use. The site currently benefits from an established dog grooming use which operates on an unfettered basis. There are no conditions attached to the original planning permission restricting the number of dogs that can be groomed on-site in a single day, nor any control over operating hours or customer vehicle movements. As such, the existing use could operate at a higher intensity than currently observed without constituting a breach of planning control.
24. Under the current application, the applicant seeks permission to use the building for a combined dog grooming and dog day care facility, with up to 24 dogs present at any one time. While all such activity would be confined indoors, with no external kennelling or exercise areas proposed, the number of dogs envisaged would represent a notable intensification of the use. The building, although of permanent and substantial construction, has a floor area of approximately 118m² and is situated approximately 40m from the nearest residential properties.
25. Having regard to the building's size, layout, and rural context, the case officer considers that accommodating up to 24 dogs at any one time would be excessive and could potentially give rise to unacceptable levels of noise, odour, or general disturbance. While no public objections have been received, it remains necessary to ensure that the scale of the operation remains reasonably compatible with the residential uses close by.

26. In this regard, the case officer recommends imposing a planning condition to restrict the number of dogs groomed and/or cared for on the premises to a maximum of 18 at any one time. This cap is considered a proportionate and reasonable measure that takes into account the existing lawful use, the physical constraints of the building, and the need to safeguard neighbouring amenity. It would also allow the business to expand in a controlled and sustainable manner without undermining the quiet rural character of the surrounding area.
27. In addition to this numerical limitation, further conditions would be imposed to restrict the hours of operation, prohibit the use of any external kennelling or play areas, and require that all activity associated with the business be contained within the building. These measures would mitigate any potential adverse impacts and ensure the proposal remains consistent with Policies DM1 and DM33 of the Development Management Plan.
28. In summary, the proposal represents a modest and well-contained expansion of an existing rural enterprise. It introduces no new built form, preserves the openness of the Green Belt, and with appropriate planning controls in place, is not anticipated to cause undue harm to the character of the area or the amenity of nearby occupiers. The development is therefore considered acceptable in principle and in detail and is recommended for approval subject to conditions.

Impact on Highway Safety

29. Policies DM1 and DM3 of the Council's Development Management Plan establish a clear requirement for development proposals to include adequate parking provision. Policy DM30 further reinforces this by requiring that development contributes to a safe, accessible environment, and complies with the Council's adopted parking standards. These policies aim to ensure that new development does not compromise road safety or cause adverse effects on the operation of the local highway network.
30. The National Planning Policy Framework (NPPF) paragraph 116 provides the national policy test for assessing highways impacts, stating that development should only be prevented or refused on highways grounds if there would be an "...*unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".
31. In this case, the proposed development does not involve any increase in commercial floor space, nor does it seek to intensify the use of the site in a way that would generate additional traffic or parking demand. The application confirms that five parking spaces currently exist on site and there is sufficient space for vehicles to maneuver so that they can enter/leave the site in a forward propelling gear. No additional spaces

are proposed, and the existing parking arrangement is to remain unchanged as are the access and egress arrangements.

32. Given that the parking provision is unchanged and consistent with the current use of the site, there is no evidence to suggest a deterioration in parking conditions or any new risk to highway safety. Moreover, there is no indication of existing parking stress in the immediate vicinity that might be exacerbated by the proposal. In the absence of increased demand or a change in access arrangements, the development would not be expected to result in unsafe on-street parking, congestion, or obstruction of the highway.
33. From a cumulative impact perspective, the development is limited in scope and scale and, therefore, would not significantly contribute to overall traffic volumes in the area. As such, the residual cumulative impact on the local road network would fall well below the "severe" threshold identified in national policy.
34. In conclusion, the proposed development would have a neutral impact on highway safety, it would maintain existing parking provision and would not introduce additional pressure on the road network. Accordingly, the proposal complies with Policies DM1, DM3, and DM30 of the Development Management Plan and is consistent with the guidance set out in paragraph 116 of the NPPF.

Flooding and Drainage

35. According to the Environment Agency flood risk map the application site is located wholly within flood zone 3. The Environment Agency website goes on to state that Land within flood zone 3 has a high probability of flooding from rivers and the sea. The applicant has submitted a Flood Risk Assessment (FRA) with the application.
36. The Flood Risk Assessment (FRA) is produced by GPO Designs. The FRA states that there is no change to the flood risk vulnerability classification of the use of the facility which remains as "Less vulnerable" (as defined by NPPF). According to the Environment Agency's Risk of Flooding from Rivers and the Sea (RoFRaS) database, there is a "Very Low" chance of a maximum possible fluvial flooding across the site. The FRA further states that the site is not located within a flood warning area and the site occupants will need to make a judgement regarding flood hazards and evacuation from the site prior to a flood occurring. Furthermore, the building occupants will need to either evacuate before a flooding event occurs (which is preferable) or will need to shelter within the building until the situation has stabilised and the flow of floodwaters has reduced.
37. With no additional building footprint or changes being proposed and with a flood evacuation plan being provided in the FRA, the planning

case officer considers the proposal to be acceptable with regards to flooding matters.

Trees

38. Policy DM25 of the Development Management Plan seeks to protect existing trees particularly those with high amenity value. In particular policy DM25 states:

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

Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.”

39. The proposed change of use is considered to have no impact on the existing trees on site.

Biodiversity Net Gain

40. Biodiversity Net Gain (BNG) is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. A minimum 10 percent BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021 subject to some exceptions).
41. The applicant has indicated that they consider that the development proposed would not be subject to the statutory biodiversity net gain requirement because one of the exemptions would apply. Taking into account the nature of the proposal where there is no increase in the footprint of the building, officers agree that the proposal would be exempt from the statutory biodiversity gain condition because the development meets one of the exemption criteria. The proposal meets the de-minimis exemption where the development does not impact a priority habitat and impacts less than 25m² of onsite habitat, or 5m of linear habitats such as hedgerows.
42. The applicant has not therefore been required to provide any BNG information.

43. As the proposal is for development to which the statutory biodiversity gain condition would not apply, an informative would advise any future developer that they would not have to discharge the statutory gain condition prior to the commencement of development is recommended.

Equalities and Diversity Implications

44. 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.

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

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

CONCLUSION

47. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rawreth Parish Council: No comments received.

Neighbour representations : No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework (December 2024).

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) - policies CP1, CP2, GB1, GB2, T1.

Rochford District Council Local Development Framework Development Management Plan (December 2014) – policies DM1, DM3, DM10. DM25, DM33.

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

The Essex Design Guide (2018).

Natural England Standing Advice.

RECOMMENDATION: APPROVE

Conditions:

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

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

2. The development shall be undertaken in strict accordance with the plans referenced BRSS118SG_SP1.3 (Location Plan), BRSS118SG BP1.2 (Block Plan), BRSS118SG-DR3.6A (Existing and Proposed Barn Ground Floor Plan), BRSS118SG-DR3.6C (Existing and Proposed Roof Plan) and BRSS118SG-DR3.6B (Existing and Proposed Elevations).

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

3. The premises shall be used solely for the purposes of dog grooming and dog day care and for no other purpose, including any other purpose within Use Class E or any other use within the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking or re-enacting that Order with or without modification.

REASON: To ensure that the use remains appropriate for a rural location within the Green Belt and to safeguard residential amenity.

4. No more than 18 dogs shall be present on the site at any one time, including those being groomed and those attending for day care purposes.

REASON: To prevent an over-intensive use of the premises and to protect the amenity of nearby residents in terms of noise and disturbance.

5. The dog grooming and day care facility shall not operate outside the hours of:

- 08:00 to 18:00 Monday to Friday
- 09:00 to 17:00 Saturdays
- 10:00 to 16:00 on Sundays or Bank/Public Holidays

REASON: To safeguard the amenities of nearby residential properties and to ensure that the use remains compatible with the surrounding rural environment.

6. No external kennelling, dog pens, exercise runs or similar structures shall be erected or used in connection with the day care facility. All dog-related activities shall take place entirely within the building hereby approved.

REASON: To protect the openness of the Green Belt, maintain visual amenity, and limit potential noise and disturbance to neighbouring occupiers .

7. No amplified music, barking deterrent systems, or mechanical grooming equipment shall be operated outside the building. All drying and grooming equipment shall be used only within the building and with windows and doors closed while in operation.

REASON: To minimise noise disturbance to neighbouring occupiers and ensure compliance with policies relating to residential amenity.

8. All waste generated by the dog grooming and day care operations, including but not limited to animal waste, hair, and used materials, shall be stored and disposed of in accordance with a waste management scheme that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use. The approved scheme shall thereafter be implemented and maintained at all times.

REASON: To ensure that waste is managed in a manner that protects public health, amenity and the local environment.

9. No dogs shall be boarded at the premises overnight. The use hereby permitted shall operate as a day care and grooming facility only, and all dogs shall be collected from the site by the end of the approved operating hours each day.

REASON: To protect the residential amenity of neighbouring occupiers from potential noise and disturbance during evening and night time hours, in accordance with policy DM1 of the Development Management Plan.

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