



PLANNING APPLICATIONS WEEKLY LIST NO.1712
Week Ending 24th May 2024

NOTE:

- (i). Decision Notices will be issued in accordance with the following recommendations unless **ANY MEMBER** wishes to refer any application to the Development Committee on the 27th June 2024.
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **29th May 2024** 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.

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Application No :	24/00082/ADV Zoning : Primary shopping area
Case Officer	Mr John Harrison
Parish :	Rayleigh Town Council
Ward :	Wheatley
Location :	32 High Street Rayleigh Essex
Proposal :	Advertisement consent for 1 No. externally illuminated projecting sign, 1 No. internally illuminated fascia sign (letters and emblem only illuminated) and 1 No. illuminated ATM surround.

SITE AND PROPOSAL

1. The application property is a retail-type unit on the north-west side of the High Street. It has a frontage onto the High Street and it backs onto Bellingham Lane. The unit is the middle one of three two-storey flat-roofed units apparently built around the 1960s. It is occupied by the Nationwide Building Society.
2. The application is for three advertisements:
 - An internally illuminated fascia sign 6.5m x 0.4m (letters and emblem only illuminated).
 - An externally illuminated projecting sign 0.5m x 0.5m on the right side of the fascia as one faces the building.
 - Illuminated advertising on the cash machine surround.

RELEVANT PLANNING HISTORY

3. Application No. 02/00637/ADV Install Internally Illuminated Cash Machine Surround Panel. (Remove Existing) granted.
4. Application No. 00/0357/03/ADV Internally Illuminated Fascia and Projecting Box Sign granted.
5. Application No. 19/00068/ADV replace existing signage with 1 no internally illuminated fascia sign, 1 no internally illuminated projecting sign and 1 no internally illuminated ATM surround sign granted.

MATERIAL PLANNING CONSIDERATIONS

6. As this is an advertisement application rather than a “conventional” planning application, it can only be considered primarily on grounds of public safety and amenity.

Impact on Public Safety

7. The proposal is not considered to raise any public safety issues. Essex County Council as highway authority have indicated they have no objections to the proposal. The degree of illumination is acceptable in highway safety terms.

Impact on Amenity

8. This proposal is located in a commercial area where a degree of advertising is considered appropriate. The main issue to be considered in amenity terms is the impact of the proposal on the Rayleigh Conservation Area. Policy DM38 of the Council's Development Management Plan indicates that internally illuminated advertisements will not be accepted in Conservation Areas and the Essex County Council Heritage Section objected to the proposal as originally submitted as internally illuminated signs were proposed. The application has been amended so the fascia sign will just have the letters and logo illuminated and the projecting sign will now be externally illuminated. The illuminated cash machine surround is very small in size. 0.42m x 0.73m and at a low level, so it is considered unreasonable to insist that just the lettering and emblem on this be illuminated in what District officers consider to be a revised design overcoming the objections of the County Council's specialist adviser. The application site number 32 is a relatively modern shop unit despite being within the Conservation Area. The proposal involves replacing existing internally illuminated advertising on what is really a like-for-like basis, i.e. similar to what was approved in 2019. It is therefore considered the impact on the Conservation Area would be neutral rather than harmful. The amount of advertising proposed is what would be considered typical on a retail-type unit and is not excessive.

CONCLUSION

9. The application should be granted.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: No comments received.

Essex County Council Highways – Proposal is acceptable

Essex County Council Listed Buildings and Conservation Areas specialist advice (comment on application as originally submitted) –

Internally illuminated signage is not appropriate for a historic commercial street, despite being located on a modern infill building and despite other examples. Internal illumination creates an overly

modern appearance which detracts from the character and appearance of the Conservation Area.
It is recommended that the internal illumination is removed from the proposal.

In my opinion the proposal, with internal illumination, will not preserve or enhance the character or appearance of the Conservation Area and will result in a low level of 'less than substantial' harm to its significance. Paragraph 208 of the NPPF and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant.

Relevant Development Plan Policies:

Rochford District Council Local Development Framework Development Management Plan (December 2014) Policies DM37 and DM38.

RECOMMENDATION: APPROVE

Conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

REASON: Required to be imposed pursuant to Schedule 2, Regulation 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

2. No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

REASON: Required to be imposed pursuant to Schedule 2, Regulation 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

REASON: Required to be imposed pursuant to Schedule 2, Regulation 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

REASON: Required to be imposed pursuant to Schedule 2, Regulation 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON: Required to be imposed pursuant to Schedule 2, Regulation 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

6. This consent shall expire at the end of a period of five years from the date of this decision notice.

REASON: Required to be imposed pursuant to Regulation 14 of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

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

Application No :	24/00211/FUL Zoning : No allocation
Case Officer	Mr. John Harrison
Parish :	Great Wakering Parish Council
Ward :	Foulness And The Wakerings
Location :	19 Lee Lotts, Great Wakering, Essex.
Proposal :	Change of use from Residential (Use Class C3) to Residential Institution within Use Class C2.

SITE AND PROPOSAL

1. The application property is a semi-detached house on the corner of Lee Lotts and Rushley Close. It is within a large housing estate built on the north side of the High Street, probably around the 1960s and Lee Lotts and Rushey Close are a cul-de-sac. The application property would have been a three-bedroomed house when built, but it has been significantly extended on the side towards Rushley Close. This extension continues the line of the house and is about half of the width of the house with a ground floor extension on the front and one on the rear. There is also a small shed/outbuilding to the side of this extension, connected to the extension by a canopy roof. There is a parking area in front of the house which could accommodate up to four cars, though if all spaces were occupied the innermost vehicles could not be moved without moving the outer ones first.

2. The proposal is to change the use of the property from a C3 dwelling, a “conventional” dwelling to C2 use which is defined as:

Use for the provision of residential accommodation and care to people

In need of care other than a use within class C3 (dwelling houses)).

Use as a hospital or nursing home.

Use as a residential school, college or training centre.

3. In a supporting statement with the application, the applicant writes,

“This is proposed to be a property of multiple occupancy for 5 unrelated adults with a mental health diagnosis living independently in the property as a supported living accommodation. They will be supported by members of staff in monitoring their mental wellbeing to support re-enablement with activities of daily living, promoting their independence and recovery while awaiting their own accommodation. There will be two members of staff during the day and one staff member overnight providing 24hr staffing and continuous monitoring of residents. Staff will be providing monitoring and support with activities such as prompting

medication, support with attending appointments if required, support to access paid/unpaid employment in the neighbourhood, improvement of activities of daily living - cooking, cleaning and shopping amongst other things.”

She goes on to write, “Occupants of the property will be people living with a mild to moderate mental illness, however has been assessed by clinicians as able to live on their own or with little support and reintegrated back into the community. (sic)”

4. The proposal is for a change of use of the building – no external alterations are proposed. The proposed ground floor plan shows a lounge, staff room, kitchen, bedroom with en-suite, bathroom and utility room. The first-floor plan shows four bedrooms, a bathroom and a room designated “staff/visitors room”.

RELEVANT PLANNING HISTORY

5. Application No. 83/00438/FUL - Add porch and two storey side extension – granted.

MATERIAL PLANNING CONSIDERATIONS

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

Impact on Character

8. The proposal would not involve changes to the external appearance of the property. There will be an increase in traffic with workers coming and going, visitors, visiting professionals and possibly deliveries of supplies, but these will have a comparatively limited impact on the area. Given this is a residential use in a residential area, albeit of a somewhat different character from the surrounding properties, on balance this impact is considered acceptable given the low number of residents to the proposal and the backdrop of the activity from the number of houses in the locality.

Impact on Residential Amenity

9. As indicated, there may be an increase in traffic arising from the use, but this will be limited and it is not considered this would justify refusing

the application as there is no evidence this modest proposal would give rise to an unacceptable impact in highway terms or that such impacts taken with other uses would be severe. In assessing this application, it must be borne in mind that staff will be on the premises at all times to deal with any misbehaviour by residents and a condition to this effect is recommended as otherwise the use would be likely to have a more detrimental impact on the amenity of neighbours over and above the existing use. The proposal is to provide interim accommodation for people for which the long-term aim is to house them within the community, so the residents would be of a nature that would integrate into the community. The proposal would result in residents' bedsits being adjacent to bedrooms in the neighbouring attached house and there is the theoretical possibility of residents playing stereos loudly late at night, but this would also affect the residents of number 19, so it is reasonable to anticipate that staff would control this. One neighbour has expressed concern about possible noise from alarms. A condition relating to this is recommended – it is considered unreasonable to object to any intruder or fire alarms as these would not go off frequently and in any case they fulfil a safety function, but if any other audio alarms are proposed, details would need to be submitted for further consideration as part of the discharging of a planning condition. Although one neighbour has asked that a condition be imposed to require the rear door to be used when shift changes occur, it is considered this would have a similar amenity impact to using the front door, so is not justified.

Traffic and Parking considerations

10. The use would not be likely to generate significant amounts of traffic and the Highway Authority has not objected to the application. Though some residents have commented that traffic relating to the Great Wakering Primary Academy, on the opposite side of the High Street to Lee Lotts does affect the area, the school is some distance from the site, approximately 0.25 kms, so this impact is likely to be limited. Though the Essex County Council Parking Standards do have standards for C2 uses, what is proposed here is somewhat different from “conventional” C2 uses and are not really applicable. On the basis there would be a maximum of two staff on the site normally, they would take up two of the four spaces on the site, leaving two for visitors, etc and this is considered reasonable provision. It is considered the residents would be unlikely to have cars.
11. Although the Highway Authority has requested a condition requiring a storage area for building materials, the applicant has indicated no construction work is required, so such a condition is not appropriate.

CONCLUSION

12. The Council's Local Development Framework does not have specific policies relating to the location of C2 uses. The National Planning

Policy Framework encourages local authorities to consider housing provision for all types of need (paragraph 63). It is considered that, subject to the conditions as recommended, this proposal would on balance be acceptable in this location.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Great Wakering Parish Council: No comments received.

Essex County Council Highways: Request condition for storage area for building materials.

Neighbour representations:

Seven responses have been received from the following addresses:

Lee Lotts: 17, 24, 28, 30, 34 and 52.

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

- Parking, noise and disturbance,
- overdevelopment,
- traffic generation,
- no amenity space,
- safeguarding concerns,
- no precedent for anything apart from single family occupancy in street,
- think applicants are only into this for money and have never run a care home,
- a care home does not belong in this road,
- noise from alarms,
- asks for shift changes to use back door,
- increased burglary risk with drugs being kept on premises

Relevant Development Plan Policies:

National Planning Policy Framework December 2023

Core Strategy Adopted Version (December 2011) – T1, T8

Development Management Plan (December 2014) – DM30, DM31

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

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 carried out in accordance with Drg. Nos 0080, 0081.

REASON: For the avoidance of doubt.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, the premises shall only be used for the purpose of multiple occupancy by adults with a mental health diagnosis whose well-being is being monitored to support re-enablement with activities of daily living, promoting their independence and recovery while awaiting their own accommodation.

REASON: As an alternative C2 use might have significantly different amenity, traffic and parking issues, so the Council can consider any possible alternative use.

4. At all times there shall be a paid worker on the site to supervise the use.

REASON: In the interests of residential amenity to ensure residents are supervised against potential unneighbourly noise and distraction.

5. The existing parking area in front of the house shall be permanently retained for use in connection with the proposed use.

REASON: In the interests of road safety and the free flow of traffic.

6. Apart from an intruder alarm or fire alarm, no audio alarm systems shall be installed in the property unless details of the equipment and apparatus has been submitted to and approved by the Local Planning Authority prior to its first use.

REASON: In the interests of residential amenity.

The local Ward Members for the above application are Cllr. D. S. Efde, Cllr. G. W. Myers and Cllr. Mrs. J. McPherson.

Application No :	24/00271/FUL Zoning : Employment
Case Officer	Mr Richard Kilbourne
Parish :	Rayleigh Town Council
Ward :	Downhall And Rawreth
Location :	24 Imperial Park Rawreth Lane Rayleigh
Proposal :	Proposed change of use from general industrial use (use Class B2) to business use within use Class E(g).

SITE AND PROPOSAL

1. The application site is located within Imperial Park industrial estate to the south side of Rawreth Lane. The industrial buildings are gathered in clusters and surrounded by informal and formal parking areas. Unit 24 is a larger unit for the site, however, the part of the building subject of this application is the middle section of the building. The form, function and design of this section of the building is typically industrial in character and nature. The building is constructed out of facing brick under a box profiled metal roof, and the roofscape is in the form of a gable.
2. The proposal is for the change of use of the middle part of the building from industrial (B2) to business use (E(g)) that allows for;
 - Uses which can be carried out in a residential area without detriment to its amenity:
 - (i) Offices to carry out any operational or administrative functions,
 - (ii) Research and development of products or processes
 - (iii) Industrial processes

These uses would have fallen within the former B1 use class that is no longer in place.

3. The application is proposing relatively minor alterations to the external elevations of the subject building with the inclusion of two emergency personnel fire doors (1No. fire door on the front elevation and 1No. fire door on the rear elevation) of the host building.

RELEVANT PLANNING HISTORY

4. Application No. 87/00533/FUL – Erection of Light Industrial Unit – Approved – 25th September 1987.
5. Application No. 88/00234/FUL – Extension to Proposed Factory for Light Engineering and Assembly of Office – Approved – 10th June 1988.
6. Application No. 91/00416/FUL - Two Storey Side Extension for Offices and Workshop Use – Approved – 6th September 1991.
7. Application No. 92/00173/FUL - Single Storey Side and Rear Extension to be Used for Storage Purposes – Approved – 22nd April 1992.
8. Application No. 93/00322/FUL - Extension to Existing Workshop Including Relocating Offices Internally (Revised Application to F/0416/91/ROC) – Approved – 18th August 1993.
9. Application No. 93/00568/FUL - Erect Workshop Building – Approved – 4th January 1994.
10. Application No. 01/00765/FUL - Erection of A Steel Storage Building – Approved – 11th December 2001.
11. Application No. 20/01036/FUL - Proposed change of use general industrial use (use Class B2) to business use within use Class E(g) and remodel of exterior including new roof and fenestration – Approved – 5th May 2021.

MATERIAL PLANNING CONSIDERATIONS

12. 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.
13. 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).

Background Information

14. A similar application (20/01036/FUL) was relatively recently approved for a change of use general industrial use (use Class B2) to business use within use Class E(g). The footprint of the application building is shaped like letter 'L' on plan. This previous application (20/01036/FUL)

related to the southern part of the building, which forms the smaller limb, with the ridge running in an north west to south east direction. This smaller limb is perpendicular to the main run of the building which is the subject of this application. The apex of the main length of the building runs in north east to south west direction. The middle section of this building is the subject of this application and has a footprint of approximately 532m². When the case officer conducted his site visit the applicant stated that the company using the southern section of the building, wish to expand and this is the reason behind the submission.

Principle of the Development

15. The application site is located within the Existing Employment zone within Rayleigh. It is sited on Rawreth Lane within the Imperial Park industrial site. The current use of the unit is B2 allowing general industrial purposes.
16. The Council's Core Strategy (2011) and Allocations Plan (2014) discuss that the Imperial Park industrial estate is fit-for-purpose and the existing uses should be retained. Policy DM32 of the Council's Development Management Plan stipulates that development within the Existing Employment zone is expected to be predominantly B1 or B2, but some alternative uses will be considered acceptable subject to a number of considerations.
17. It is also recognized that since these policies were adopted use class B1 has been revoked and replaced with a new use class E(g). Until policies are updated to reflect the use class change, there is a need to determine whether E(g) would be considered an acceptable use as B1 was previously. Both classes are defined as uses which can be carried out in a residential area without detriment to its amenity and forms three parts; offices, research and development of products and industrial processes. E(g) is therefore considered to replace B1 in its entirety and any use previously defined as B1 would now fall within E(g).

Existing Employment

18. An assessment on the impact to the Existing Employment land with regard to Policy DM32 is set out below;
 - (i) *the number of jobs likely to be provided;*
19. According to the submitted planning application forms the proposed change of use would not provide any new jobs as the applicant is wishing to move some of their existing staff from the southern office

into the part of the building which is the subject of this application. The applicant states that the existing office space is too cramped and is not a conducive work environment. They consider that by expanding into this section of the building will allow for a more flexible and ergonomic work space. This section of the building forming the application site is currently vacant and is not used. It is considered that the use would therefore continue to encourage the employment use of unit 24.

(ii) the viability of retaining B1 (now E(g)) and B2 uses;

20. Given the current economic climate, the B2 use is not required in the way it previously was. The Council's Development Management Plan highlights the Council's responsibility to recognize the necessity of maintaining a flexible approach to employment uses which reflects the current economic and employment situation. The use to E(g) (previously B1) would not drastically alter the appearance of the building as some other uses such as retail or residential would. The building would therefore still form an active part of the industrial estate and retain the E(g) use.

(iii) the compatibility with existing uses

21. An application was previously refused at Unit 8 Imperial Park for the change of use from B1/B2 to D1 (swim school business) (ref: 17/00181/FUL). The application was dismissed at appeal as the proposed use would lead to a significant reduction in the employment potential of the premises and the safety of children could be compromised by traffic movements associated with neighbouring commercial uses. As a result, the proposed use was not considered compatible (ref: APP/B1550/W/17/3177724).

22. The north part of unit 24 is used as the existing office by Metro Ltd. Whilst there are few units within a E(g) use, as the use is present within part of the unit, it would be considered compatible with existing uses. Policy highlights the importance of maintaining E(g) and B2 uses within employment zones and the proposed change of use would encourage this. Furthermore, the business use would be for a car/van finance company which is the same company that occupies the southern section of the host building. Rochford District Council's Economic Development and Regeneration team have previously supported similar applications given that it will enhance an existing business space.

(iv) the impact on the vitality and vibrancy of the District's town centres;

23. Given its connection with an existing business within the industrial park, the proposed change of use is considered acceptable. It is not considered that people would travel to the proposed business use unit over Rayleigh Town Centre. Whilst a flexible workspace is being offered, this would be limited and as the town centre does not currently offer a space like this, it is again not considered to harm the vitality and vibrancy of Rayleigh Town Centre.

(v) the proportion of alternative uses present;

24. The majority of units within Imperial Park maintain an active industrial use and the proposed business use is considered to facilitate the employment use of the site. The office use would not impact upon the character of the Existing Employment zone.

(vi) wider sustainability issues (such as available transport methods).

25. Metro Ltd. are an existing business on the site and therefore there would not be an increase in traffic volume. Furthermore, hot desking would not be considered to generate greater volume of traffic than the existing industrial use. There are also numerous bus routes along Rawreth Lane which would be an alternative sustainable mode of travel for staff.

Impact on Streetscene

26. The relevant policy in this instance is policy DM1 (Design of New Developments) of the council's Development Management Plan (2014), which indicates 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.

27. According to the submitted plans the proposed alterations are relatively minor in nature. Internally the applicant is proposing the erection of a centralized partition wall. Whilst externally the applicant is proposing to insert one emergency fire door on the front elevation and one emergency escape door on the rear elevation, in order to comply with building regulations. It is not considered that these proposed alterations will have a detrimental impact on the character and appearance of the streetscene and as such the proposal complies with policy DM1.

Impact on Residential Amenity

28. Paragraph 135 (f) of the NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is reflected in 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.
29. Amenity is defined as a set of conditions that one ought reasonably expect to enjoy on an everyday basis. When considering any development subject of a planning application a Local Planning Authority must give due regard to any significant and demonstrable impacts which would arise as a consequence of the implementation of a development proposal. This impact can be in terms of overlooking, loss of light or creating a degree of overbearing enclosure (often referred to as the tunnelling effect) affecting the amenity of adjacent properties.
30. The NPPF states at para. 180 planning policies and decisions should contribute to and enhance the natural and local environment criterion (e) stipulates “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution”. Furthermore, para. 191 states Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and
 - identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
31. According to the submitted plans and the case officers site visit, the application site is adjoined by a residential area to the east. The proposal would not increase the footprint of the building. As previously intimated, Use Class E(g) would be considered an acceptable use as B1 was previously. Consequently, it is not considered that the proposal would cause any significant demonstrable harm to residential amenity. Furthermore, the case officer observed numerous commercial/industrial

processes taking place within close proximity to these residential dwellings. Overall, given the siting of the application site within Imperial Park, which is adjacent to similar types of uses, residents will already experience quite high ambient noise levels. It is not considered that the proposal will significantly affect the amenities of the neighbouring residents and the proposal complies with policy DM1 and advice advocated within the NPPF.

Car Parking Standards

32. Policy DM30 of the Development Management Plan requires the provision of adequate parking. The parking standards set out the requirements for each use.
33. The parking standards have not been updated since the use class order was revised but given B1 has been replaced by E(g), the development should meet this criterion. B1 should provide 1 car parking space per 30sqm, 1 cycle space per 100sqm and 2 disabled bays for 200 vehicle bays or less.
34. It is unclear how many parking bays are available on the site as this information has not been provided with the application and there is communal provision within the broader layout. During the site visit, informal parking areas were located along the driveway and forecourt to unit 24. A formal parking area is allocated to the west of the application building.
35. As the proposed use would result in the re-location of staff from an existing building, there is no need for additional parking spaces. Albeit the proposed flexible business use would require sporadic parking availability, during the time of the site visit there were many parking spaces available and there did not appear to be any ongoing car parking constraints. The applicant confirmed that there are no allocated spaces within Imperial Park and therefore the contingent addition of vehicles onto the site would not be considered to create any issues with parking or transport. There is also a bus route along Rawreth Lane which would provide alternative transport if required.
36. Furthermore, though the appeal at unit 8 was dismissed (ref: APP/B1550/W/17/3177724) due to its lack of sufficient parking, the degree of parking required for D1 use would be far greater than that for E(g). Moreover, as the vast majority of staff are existing and the office is proposed to be relocated from within unit 24, the existing parking situation would be considered to sufficiently meet the needs of the proposed change of use for renting out hot desks. Furthermore, colleagues in Essex County Council Highways have been consulted

regarding the proposal and state “*The proposal is located in Imperial Park which is a private road. The application form indicates that off-street parking is retained, therefore: From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority*”.

CONCLUSION

37. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: No response received.

Essex County Council Highways: No objections

Neighbour representations: No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework December 2023.

Core Strategy Adopted Version (December 2011) ED1, ED3.

Development Management Plan (December 2014) DM1, DM30, DM32.

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

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 plans referenced 3001 (Proposed Floor Plans and Elevations) (as per date stated on plan 5th April 2024) and 3002 (Location Plan and Site Plan) (as per date stated on plan 9th April 2024).

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

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

Application No :	23/01033/FUL Zoning: JAAP area (iia) Extension to Employment activity
Case Officer	Mr Richard Kilbourne
Parish :	Rochford Parish Council
Ward :	Roche South
Location :	Ipeco Building 1 Airport Business Park Southend Cherry Orchard Way
Proposal :	Installation of roof ventilation hatches, louvres, condensing units and extract ductwork.

SITE AND PROPOSAL

1. The site in its wider locational context is located within The Airport Business Park Southend (ABPS), which itself is located to the north and west of London Southend Airport, to the east is Westcliff Rugby Club and numerous other commercial buildings. To the west of the application site is Cherry Orchard Way from where access is gained.
2. Rochford Town Centre is located to the north-east of the ABPS and can be accessed via Cherry Orchard Way and Hall Road (circa 2.5km). Rochford Railway Station is located approx. 1.6km to the north-east of the site.
3. The application site is a large modern industrial building. Large car parks are located to the north, west and south of the application site. The applicant's property is located adjacent to a number of other similar sized commercial properties. Access into the main car park is gained via a spur road located immediately to the west of the application site.
4. The applicant is proposing the installation of roof ventilation hatches, louvres, condensing units and extract ductwork at Ipeco Building 1 Airport Business Park Southend Cherry Orchard Way Rochford.

RELEVANT PLANNING HISTORY

5. Application No. 23/01034/ADV - Illuminated business logo mounted on external cladding – Approved – 6th February 2024.

MATERIAL PLANNING CONSIDERATIONS

6. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.

7. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014) and the London Southend Airport and Environs Joint Area Action Plan (December 2014) (JAAP).

Design

8. 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.
9. Policy CP1 of the Rochford District Council Core Strategy (2011) promotes high quality design, which has regard to the character of the local area. Design is expected to enhance the local identity of an area. This point is expanded in Policy DM1 of the Council's Development Management Plan (2014) which states that; 'The design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity, without discouraging originality innovation or initiative'.
10. According to plan reference IPSA-ASA-MO-ZZ-DR-A-2300 Revision P04 the applicant is proposing to install 4No. flues and accompanying extract ductwork, which will be sited on the on east (rear) elevation of the host building (According to the applicants supporting documentation flue 4 is not going to be installed at this stage, but they stress it is not anticipated as being any larger than ducts 1 & 2). The proposed flues will measure approximately 6.1m in length. However, due to their positioning only 2.5m (approx.) will penetrate above the roofline, the remainder will be obscured by the host building. According to the applicants Design and Access Statement the flues are required to ventilate the spray booths, which are required by the applicant.
11. In addition to the above, the 3No. extract flues will also be located on the east facing elevation interspaced with the aforementioned flues. The proposed extract flues will measure approximately 5.8m in length and they will protrude roughly 1m above the roofline. According to the submitted plans and the supporting documents, the proposed flues and cowls will all be painted silver to match the host property, and in the event that planning permission is approved, this will be secured by planning condition.
12. The case officer notes that it is not uncommon for industrial/commercial buildings to have similar types of plant/ventilation equipment to that

proposed as part of this planning application. The case officer is aware that there are numerous examples of similar types of development around the district. Therefore, in the opinion of the case officer the proposed flues are an inconspicuous feature typically associated with commercial units. The proposed flues would not be overly obvious from the public realm, due to their location, as they would be sited at the rear of the building and the majority of the flues would be screened by the host building. Therefore, it is considered that in terms of its appearance, the flues are not considered to result in a detrimental harm upon the character of the street scene in this location, in accordance with policy CP1 of the Core Strategy and policy DM1 of the Development Management Plan.

13. Upon undertaking a site visit, the case officer noted that several other air conditioning units were noted on other buildings within the locality. Consequently, air conditioning units are not an unusual or alien feature within the street scene. It is considered that the proposed air conditioning units are of a conventional design; however, they are of no particular architectural merit but nevertheless plant equipment of this type is a typical feature commonly associated with commercial/leisure buildings.
14. In reference to the submitted plans the applicant is also proposing to install 11 No. roof ventilation hatches on the roof, which will be utilised to ventilate the assembly hall and dispatch areas. The proposed ventilation hatches will be evenly spaced above the assembly hall and dispatch areas. It is considered the proposed roof ventilation hatches will not be overtly visible from ground level and in the opinion of the case officer would not be a significant change and would not adversely affect the design quality of the scheme. In the opinion of the case officer the proposal would not drastically alter the appearance of the host building which has been approved. In conclusion, it is not considered that this alteration will not have a material or detrimental impact on the character and appearance of the host building.
15. In addition to the above, the applicant is proposing to install 2 No. louvres which will be situated on the east facing elevation of the host building. The proposed louvres will be powder coated so that they blend in with the host property. The applicant stresses that the louvres are required to provide air to the compressors. Once again, it is considered that the proposed alterations are relatively minor and will not result in demonstrable harm to the character and appearance of the host building or the area generally, which is characterized by large commercial and industrial units.

Impact on Residential Amenity

16. Paragraph 135 (f) of the NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is reflected in 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.
17. Amenity is defined as a set of conditions that one ought reasonably expect to enjoy on an everyday basis. When considering any development subject of a planning application a Local Planning Authority must give due regard to any significant and demonstrable impacts which would arise as a consequence of the implementation of a development proposal. This impact can be in terms of overlooking, loss of light or creating a degree of overbearing enclosure (often referred to as the tunnelling effect) affecting the amenity of adjacent properties.
18. The NPPF states at para 180 planning policies and decisions should contribute to and enhance the natural and local environment criterion (e) stipulates “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution”. Furthermore, para. 191 states Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
 - mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and
 - identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason
19. The case officer notes that the location of the proposed plant/ventilation equipment is located adjacent to a commercial unit and there are numerous other commercial/industrial units within the immediate vicinity. To accompany the planning application a ventilation/extraction statement produced by Ashford Sansome (not dated) has been submitted.

20. The statement explains that as part of the assembly functions, there is a requirement for a paint shop where some of the metal components required on the assembly shop floor, are coated. The applicant states that care has been taken during the layout of the interior adjacencies of departments so that they function correctly in terms of the manufacturing processes, but in addition, so that they are located sympathetically in terms of the building's aesthetics. In this instance, the paint shop is located to the South East corner which sits away from public view as seen from the remainder of both the business park as a whole and the Rugby club, which shares the its' northern boundary.
21. The statement enunciates that both flues 1 & 2 are the largest size at 900mm diameter ductwork. Each of these service 2No. 1.5kW fans. Duct 3 is 680mm ductwork and services a single 1.5kW fan. As previously stated, according to the applicants supporting statement flue 4 is not going to be installed at this stage, but they stress it is not anticipated as being any larger than ducts 1 & 2.
22. In relation to the roof ventilation hatches the report infers that they will not present any nuisance or pollution risk as they will be used to allow warm air to escape from the manufacturing hall under atmospheric conditions when conditions require it. The report goes on to stipulate that there are no processes being undertaken within the building (except those being provided with specific local exhaust extraction) which will release any emissions through these apertures. The exhaust flues proposed for the East elevation would serve the Paint Shop function located in the South East corner of the building. Ordinarily, these extraction flues are designed to sit fully outside of the building, including the motors. On this scheme, the decision has been made to keep the motors inside the building significantly reducing any potential noise pollution.
23. Regarding noise outputs the report maintains that each spray booth is served by a single 1.5kW fan which runs with sound pressure levels of 71dB when being operated at maximum capacity. Each of these fans will be attenuated (both above and below) the motor in-line within the ductwork. Typically, it might be expected that the attenuation would drop the noise levels by 10% both above and below the fan motor, however for the purposes of this report we will use a conservative 5% figure.
24. Duct No.3 (being operated with a single fan) through 680mm ductwork will therefore have an exit sound pressure level of circa 67.5dB (71dB x 95%). The calculations for ducts No.1 and No.2 are slightly different. Both 900mm ducts are served by 2No. attenuated fans. Where fans of the same size are installed in close proximity to each other, there is a

compounding effect which increases the sound levels by a further 3dB each time they are doubled. Thus, the initial 71dB becomes 74dB for duct No.1 (two fans) and 77dB when ducts No.1 and No.2 are considered together. The report concludes that the 5% attenuation figure therefore offers up a total noise output of 73dB (77dB x 95%).

25. In regards to odour the reports states typically, with light industrial processes such as paint spraying etc., the principal is to exhaust the ventilation flow as high as possible above ground level to allow the odour rich plume to disperse and dilute within the surrounding environment away from areas where it may cause issues.
26. The location of the extract cowls has been carefully sited away from the Rugby club, the nearest location where the public might be affected. The exhaust fumes from the spray booths will all meet the atmosphere at approximately 11.5m above ground level and be sped up via venturi cowls to ensure that they continue to rise from the point of exit, effectively increasing the stack height well above roof level.
27. Furthermore, dry filtration will be installed in the spray booths at ground level which will capture any paint particles and pull them out of the air stream being drawn up into the ductwork. This process has the effect of also reducing the solvents airborne within the airflow and therefore reducing odours.
28. The report concludes that as a result of these factors, and the South Westerly prevailing wind direction at the business park, it is not anticipated that odours will be perceptible from the LEV ductwork either nearby the building at ground level or further away from the building where the exhaust plume may drop, whilst at the same time become diluted with the surrounding fresh air.
29. The case officer considered it prudent to consult the Councils Environmental Health Officer (EHO) who stated that *"I consider that noise from the three flues, when used in combination, is unlikely to be intrusive to neighbouring commercial premises. However, it is unclear what additional internally-generated noise(s) may be audible externally via the eleven roof ventilation hatches and louvres serving the intake for the condensers. A more detailed acoustic report is required to assess all contributors in unison, with frequency analysis, for a definitive judgement to be made"*.
30. The EHO went to state that in respect of odour *"no data has been provided to enable an assessment. I suggest that the applicant determines what specific odour abatement technologies are required and their effect on extract velocity. Advice should be sought to determine whether the installation requires an Environmental Permit for solvent usage/management. All this will have a bearing on the final*

extraction specification and may also inform the noise impact assessment.

If the application is to be approved at this time, I recommend that a noise impact assessment and an odour impact assessment are required by separate condition for approval before installation occurs”.

31. Finally, the EHO concludes that “*the current report only considers the three that are to be installed in the first instance. I therefore recommend that a further condition is imposed requiring that an additional noise assessment is submitted and approved prior to the installation of the fourth (should this not be included in the NIA required above)”.*

Highways

32. The site is located on the eastern side of Cherry Orchard Way and is part of much larger commercial/industrial area. According to the submitted planning application forms and plans the proposal will not reduce the amount car parking provision on site. It is considered that there are not any apparent significant car parking issues on the site and the application site is located in a relatively sustainable location in close proximity to public transport routes. As the proposal would not lead to a significant intensification of vehicles or pedestrians to and from the site to the detriment of the highways infrastructure in place. Therefore, no concerns are raised with regards to highway and pedestrian safety.

CONCLUSION

33. Approve.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council: No comments received.

Rochford District Council Environmental Health Officer: The Ventilation/Extraction Statement by Ayshford Sansome has been reviewed. As presented, I consider that noise from the three flues, when used in combination, is unlikely to be intrusive to neighbouring commercial premises. However, it is unclear what additional internally-generated noise(s) may be audible externally via the eleven roof ventilation hatches and louvres serving the intake for the condensers. A more detailed acoustic report is required to assess all contributors in unison, with frequency analysis, for a definitive judgement to be made.

In respect of odour, no data has been provided to enable an assessment. I suggest that the applicant determines what specific odour abatement technologies are required and their effect on extract velocity. Advice should be sought to determine whether the installation requires an Environmental Permit

for solvent usage/management. All this will have a bearing on the final extraction specification and may also inform the noise impact assessment. If the application is to be approved at this time, I recommend that a noise impact assessment and an odour impact assessment are required by separate condition for approval before installation occurs.

In respect of the flues, the current report only considers the three that are to be installed in the first instance. I therefore recommend that a further condition is imposed requiring that an additional noise assessment is submitted and approved prior to the installation of the fourth (should this not be included in the NIA required above).

Neighbour representations: No responses received.

Relevant Development Plan Policies:

National Planning Policy Framework December 2023

Core Strategy Adopted Version (December 2011) – policies CP1

Development Management Plan (December 2014) – policies DM1, DM30

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

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 hereby approved shall be carried out in total accordance with the approved plans numbered IPSA-ASA-EO-XX-DR-A-2100 Revision P04 (Site Plan) (as per date stated on plan November 2023), IPSA-ASA-MO-ZZ-DR-A-2300 Revision P04 (Proposed Elevations) (as per date stated on plan November 2023) and IPSA-ASA-XX-XX-DR-A-0100 Revision P04 (Block Plan and Location Plan) (as per date stated on plan November 2023).

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

3. Prior to the first use an assessment of the nature and extent of noise generated by the proposed development and the existing noise climate of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The assessment shall identify proposed noise limits when all contributors are acting in unison (including frequency analysis) and any mitigation measures to control noise to agreed limits and the approved measures shall be carried out and completed in full before the development is first brought into use and shall be retained thereafter unless otherwise first agreed in writing with the Local Planning Authority.

REASON: Whilst it is considered that the noise from the three flues, when used in combination, is unlikely to be intrusive to neighbouring commercial premises. However, it is unclear what additional internally-generated noise(s) may be audible externally via the eleven roof ventilation hatches and louvres serving the intake for the condensers. Therefore, a more detailed acoustic report is required to assess all contributors in unison, with frequency analysis, for a definitive judgement to be made.

4. Notwithstanding the Ventilation and Extraction statement prepared by Ayshford Sansome received by the Local Planning Authority on the 6th March 2024. Prior to the installation of the fourth flue as identified on plan reference IPSA-ASA-MO-ZZ-DR-A-2300 Revision P04 (as per date stated on plan November 2023) a noise impact assessment report shall be submitted for approval in writing by the Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first use of the fourth flue and any mitigation measures to control noise to agreed limits and the approved measures shall be carried out and completed in full before the development is first brought into use and shall be retained thereafter unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To satisfactorily protect the amenities of nearby commercial premises in accordance with policy DM1 and advice advocated within the NPPF.

5. Prior to the first use of the development hereby permitted, control measures shall be installed in accordance with a scheme for the control of fumes, smells and odours that shall have been previously submitted to, and agreed in writing by, the Local Planning Authority. Such control measures as shall have been agreed shall thereafter be retained and maintained to the agreed specification and working order.

REASON: To ensure that there is a scheme for the control of fumes and odours in place so as to avoid unnecessary detrimental impacts on the surrounding area and/or neighbouring properties, as there is insufficient detail within the submitted application.

6. The development hereby granted planning permission shall not take place unless any external duct work and flues comprised in the approved scheme for filtering, extracting and dispersing fumes have been finished in a colour to match the exterior of the premises or treated in accordance with such other scheme as may be submitted to and approved in writing by the planning authority.

REASON: In order to preserve the visual amenity of the neighbourhood.

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