



**PLANNING APPLICATIONS WEEKLY LIST NO.1715**  
**Week Ending 14th June 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 27/06/2024.
- (ii). Notification of any application that is to be referred must be received no later than 1:00pm on Wednesday **19th June 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](mailto:pbctechnicalsupport@rochford.gov.uk) .If an application is referred close to the 1.00pm deadline it may be prudent for a Member to telephone PBC Technical Support to ensure that the referral has been received prior to the deadline.
- (iii) Any request for further information regarding applications must be sent to Corporate Services via email.

**Note**

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

Index of planning applications: -

- 1. 23/00903/REM - Land Adjacent Unit 1 Cottis Yard Welton Way  
Rochford pages 2 – 17
- 2. 23/00633/FUL - Land West Side Junction Of Maple Drive Goldsmith  
Drive Rayleigh pages 18 - 23

Application No :	23/00903/REM      Zoning: Existing Employment Land
Case Officer	Mr Thomas Byford
Parish :	Rochford Parish Council
Ward :	Roche South
Location :	Land Adjacent Unit 1 Cottis Yard Welton Way Rochford
Proposal :	Reserved matters application providing details of access, appearance, landscaping, layout and scale for the construction of 9 x commercial units for use within the B2 Use Class for general industrial use following approval of outline application ref: 22/00677/OUT

## **SITE AND PROPOSAL**

1. The application site is located on the northern end side off Welton Way within Purdeys Industrial Estate. The application site is a designated employment site situated to the south-east of Rochford Town Centre with access onto Sutton Road. The Council's Allocation Plan states that the industrial estate is in good condition. The use of the site is stated to be a recycling yard for waste concrete, gravel and soil and is occupied by DD Recycling Ltd (Sui Generis outside of any particular use class).
2. The site is located within the Purdeys Way Industrial Estate, which is primarily in B1 (Business use now use class E), B2 (General Industrial) and B8 (Storage and Distribution) uses and is an allocated employment site within the Council's Allocation Plan.
3. The proposal seeks reserved matters consent in relation to nine commercial units for use within Use Class B2 (General Industrial use). This application provides the details in relation to the outline consent approved under application reference 22/00677/OUT, decision dated 14<sup>th</sup> June 2023.
4. The matters reserved include; access, appearance, landscaping, layout and scale.

## **RELEVANT PLANNING HISTORY**

5. Application No. 22/00677/OUT - Outline application with all matters reserved for the construction of 9 x commercial units for use within the B2 Use Class for general industrial use – Permitted 14.06.2024.

## **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).
8. The National Planning Policy Framework December 2023 (NPPF) is a material consideration in the determination of planning applications and relevant policies in the updated NPPF should be considered in the determination of this application.
9. The NPPF identifies that the purpose of the planning system is to contribute towards the achievement of sustainable development which has three interconnected objectives, an economic objective, a social objective and an environmental objective. Of particular relevance to the determination of this application for approval of reserved matters relating to the detailed design of residential development is the social objective which seeks to support the creation of strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. Paragraph 11 of the NPPF requires that local planning authorities apply the presumption in favour of sustainable development when determining applications and this is defined as approving development proposals that accord with an up-to-date development plan without delay.

### **Conformity with the Outline Planning Consent**

10. The outline planning consent (22/00677/OUT) lists one approved plan (21.116-02 Rev A) which was a Site Plan.
11. The outline planning consent was granted subject to a number of conditions. These have been summarised below:

Condition 1 – No development until reserved matters have been submitted to and agreed by the Local Planning Authority.

Condition 2 – Application for reserved matters should be submitted within 3 years from the date of the outline consent. The development

shall begin before the expiration of 3 years from the outline consent or 2 years from the approval of reserved matters, whichever is the later

Condition 3 – Prior to commencement, details of the rainwater harvesting scheme (or alternative surface water management) shall be submitted and agreed with the Local Planning Authority. This shall be implemented prior to first occupation.

Condition 4 – Prior to commencement, a scheme for on-site foul water drainage works including connection point and discharge rate, shall be submitted and agreed by the Local Planning Authority. The details as agreed shall be implemented as agreed.

Condition 5 – Prior to the commencement of development of any non-residential buildings, details shall be submitted to and agreed to demonstrate that the buildings would meet the BREAAAM very good rating, unless it can be demonstrated that this is not viable or practical. Once agreed the buildings shall be built in accordance with the agreed details to achieve BREAAAM very good rating and details submitted to the Local Planning Authority to show this has been achieved within 3 months of completion.

Condition 6 – Removal of Class I permitted development rights. The building only to be used as B2 general industrial and for no other purpose (incidental or otherwise).

12. The outline planning permission (reference: 22/00677/OUT) established the acceptability of the principle of the proposed development. Therefore, the main issues which require consideration as part of the determination of this application are Reserved Matters relating to 'Appearance', 'Layout', 'Scale', 'Access' and 'Landscaping' of the development.
13. In the National Planning Practice Guidance, Paragraph: 006 Reference ID: 14-006-20140306 and The Town and Country Planning (Development Management Procedure) (England) Order 2015, it clearly states that for Reserved Matters applications the following would have to be submitted in support of the application:-
  - 'Appearance' — the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
  - 'Landscaping' — the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:
    - (a) screening by fences, walls or other means;
    - (b) the planting of trees, hedges, shrubs or grass;
    - (c) the formation of banks, terraces or other earthworks;

(d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and  
(e) the provision of other amenity features;

- 'Layout' — the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' — the height, width and length of each building proposed within the development in relation to its surroundings.
- 'Access' – covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.

### **Policy Background – Design and Character**

14. The NPPF sets out at paragraph 126 that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and others interested throughout the process.
15. Paragraph 129 of the NPPF outlines that where local design guides and codes have not been prepared the national documents should be used to guide decisions on applications. In this instance, the Essex Design Guide, National Design Guide and National Model Design Code would be material considerations.
16. Paragraph 130 of the NPPF advocates for planning decisions to 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) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) 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.

17. Importantly, paragraph 134 of the NPPF states that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents.
18. In terms of local design policy, Policy DM1 of the Council's Development Management Plan sets out 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. The design and layout of proposed development must demonstrate that they provide a positive relationship with existing and nearby buildings, are a scale and form appropriate to the locality and promote visual amenity.

### **Access**

19. The vehicular access to the site is shown on the submitted location and block plan to be off an access road leading from Welton Way which is a private road within Purdeys Industrial Estate. The access road would provide access to the southwest of the site where there would be a set of entrance gates.
20. The proposed block plan shows a two way system for vehicles navigating the site.
21. There do not appear to be any pedestrian crossing points within the car park itself, whilst the cycle storage, would be to the south of the central visitor parking area. Parking has also been provided to the front of units with Unit 1, 2, 3, 4, 5, 6 and 7 having one parking space each to the front of their respective units, whilst units 8 and 9 would have two parking bays each. Units 7, 8 and 9 also feature a loading space allocated to the frontage.
22. The Essex County Council Highways Authority have been consulted on the application and it is concluded that the submitted plans show adequate vehicle tracking and parking within the curtilage. The Highway Authority have no objection and consider the proposal to be acceptable subject to two conditions, one relating to the development complying with the cycling parking in the Essex Planning Officers Association (EPOA) / Essex County Council standards ( 2010) and the other relating to the off-street parking bays on the site. These have

been included in more detail within the consultation section of this report and in the conditions in the recommendation.

## **Parking**

23. The EPOA Parking Standards Design and Good Practice SPD (Adopted December 2010) states the following requirement for parking for B2 uses:

- Vehicles (maximum) - 1 space per 50sqm.
- Cycles (minimum) - 1 space per 250sqm plus 1 space per 500sqm for visitors.
- PTW (minimum) - 1 space + 1 per 20 car spaces (for 1<sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)
- Disabled (minimum) – 200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater. Over 200 vehicle bays = 6 bays plus 2% of total capacity.

The total approximate size of the commercial units is 900m<sup>2</sup>.

24. The car parking bays to the front of the units and the visitor car parking bays do only measure approximately 2.5m x 5.5m which is the minimum bay size width, however considering what has been accepted on other close-by commercial sites in the district, this is considered reasonable and suitable in this case. The site would require 18 parking spaces. Although the design and access statement states that there are 29 parking vehicular bays on the site, only 23 bays have been marked out for the parking of vehicles (not including Powered Two Wheelers (PTWs) or loading vehicles). In any case, the number of bays on the site is considered acceptable relative to the site size and the number of units on the site.

25. The vehicular parking on the site in terms of numbers of bays, meets the above requirements, taking into account the number of vehicles of a maximum for B2 uses.

26. The cycling store plan shows capacity for 8 bicycles. The submitted design and access statement states that 6 spaces are required for bicycles within the provided bicycle store. The above requirements would need 3.6 spaces for staff and 1.8 bicycles for visitors. Rounded up, 6 spaces would be needed and the proposed cycle store is considered to be adequate to meet this requirement.

27. In relation to PTW (Powered Two Wheelers), two spaces have been marked out in the central parking area on the site. The requirements would need two spaces for PTWs, and two have been allocated within the site.

28. In relation to disabled bays, the two bays marked out in the central area are also adequate to meet the two bay requirement as stipulated above.
29. Access also includes considerations in relation to circulation within the site, which is inevitably linked to the layout of the proposed development in this respect.

### **Layout**

30. 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. Policy DM1 of the Development Management Plan (2014) requires 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. Good design is a key aspect of sustainable development and is indivisible from good planning. Proposals should contribute positively to making places better for people. At a local level, policy DM1 requires that key issues of design and layout have been carefully considered.
31. The layout is designed to provide a central car parking area to the site, with the units sited to the northern and eastern boundary facing west with surveillance over the parking areas.
32. Landscaping has been proposed at the north, east and south edges of the central visitor parking area in the form of grasscrete, as well as a grasscrete compound area to the north west boundary and behind units 8 and 9 as well as to the north of unit 7. Separate grasscrete compound areas are also proposed to the east of units 1 and 2. Just east of the entrance gates and access to the site, there would be a swathe of new trees, shrubs and planting to the southern boundary of the site.
33. Given the access to the site off a private road within Purdeys estate and given the existing industrial character within this estate, it is considered that the proposed layout in terms of its design is considered acceptable and would fit in with the general character in the immediate locality. The site is generally concealed by adjoining commercial development with the River Roach located to the north although it is acknowledged there is a footpath outside of the site boundary alongside the river.

### **Appearance**

34. 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.



35. Policy DM1 of the Development Management Plan (2014) requires 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. Good design is a key aspect of sustainable development and is indivisible from good planning. Proposals should contribute positively to making places better for people. At a local level, policy DM1 requires that key issues of design and layout have been carefully considered.
36. The buildings have been designed to have regard to the surrounding context within Purdeys estate. The units would have steel standing seam roofs, with galvanised steel gutters and down pipes. The facades will be finished in profiled steel cladding in a light grey colour, with anthracite colour framed fenestration. The steel doors to the buildings are proposed to be blue with the lower façade finished in a blue brick. The proposed units are considered to offer a contemporary and well-designed appearance, in keeping with the surrounding units on other parts of the estate. The glazing to the front elevation of the units assists in breaking up the front elevation and draws visual interest along the main façade. The fenestration is considered to add significant daylight into the units. The materials chosen are considered appropriate and reflect the contextual aesthetic of the site.
37. The roofs proposed are pitched with a slack roof and this is considered of preferable design, albeit leading to an increased height in comparison to a conventional flat roof generally used for units of this typing and use.
38. The proposed bicycle and bin store would have a height of some 2.6m constructed from timber posts and galvanised steel mesh. The store would have separate access for refuse and for cycles. The design and appearance of the site is considered acceptable in the context in relation to local policy.
39. Although some detail regarding the lighting on the site has been provided, namely that proposed to the units which comprise of low voltage LED down lighters, other information regarding lighting of the site has not been provided and therefore it is considered necessary to impose a condition to any granting of planning consent to ensure not only is the site adequately lit, but this also does not have impacts in relation to the concerns raised by Southend Airport.

### **Scale**

40. The scale of each building is considered acceptable in terms of the site its wider context within Purdeys Industrial Estate.

## Landscaping

41. Although the extent of the land to be utilised to provide landscaping is shown on the submitted plans and has been described within the layout considerations within this report, the application does not provide a landscape specification indicating species mix, planting density or heights of hedge and tree species at their time of planting or maintenance thereafter. It is therefore considered reasonable and necessary to include a condition specifying further details in relation to the above as specific detail has not been provided in either the outline consent nor this reserved matters application.

## CONCLUSION

42. **APPROVE** subject to conditions.

## CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rochford Parish Council:

No comments received.

Health and Safety Executive:

'Thank you for your email seeking HSE's observations on application 23/000903/REM

HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - <https://pa.hsl.gov.uk/> - for them to use to consult HSE and obtain HSEs advice.

However, this application does not fall within any HSE consultation zones. There is therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and the HSE LUP team has no comment to make.

I would be grateful if you would ensure that the HSE Planning Advice Web App is used to consult HSE on developments including any which meet the following criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard pipeline.

- \* residential accommodation;
- \* more than 250m<sup>2</sup> of retail floor space;
- \* more than 500m<sup>2</sup> of office floor space;
- \* more than 750m<sup>2</sup> of floor space to be used for an industrial process;
- \* transport links;

\* or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area

There are additional areas where HSE is a statutory consultee. For full details, please refer to annex 2 of HSE's Land Use Planning Methodology: [www.hse.gov.uk/landuseplanning/methodology.htm](http://www.hse.gov.uk/landuseplanning/methodology.htm)

NB On 1 August 2021 HSE became a statutory consultee with regard to building safety (in particular to fire safety aspects) for planning applications that involve a relevant building.

A relevant building is defined in the planning guidance at gov.uk as:

- containing two or more dwellings or educational accommodation and
- meeting the height condition of 18m or more in height, or 7 or more storeys

If the planning application relates to Fire Statements and applications relating to relevant buildings, then these are not dealt with by the Land Use Planning team and instead they should be sent to [PlanningGatewayOne@hse.gov.uk](mailto:PlanningGatewayOne@hse.gov.uk)

There is further information on compliance with the Building Safety Bill at <https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>.

London Southend Airport:

'Our calculations show that, the proposed development would conflict with safeguarding criteria unless any planning permission granted is subject to the following conditions:

- Under EASA safeguarding regulations the maximum height of any part of the development (including roof plant / aerals must be no greater than 32.74m AOD, in addition the proposed development will need to be assessed against the Instrument Flight Procedures both designed and published for LSA. The assessments will need to be carried out by a third party and the costs would be passed to the developer. Please use the email contact details below to organise assessment. This assessment may restrict the height of the proposed development further.
- A bird hazard management plan will need to be provided to and approved by the airport.
- Any lighting at the site must be EASA compliant so as not to cause glare or distract pilots
- An assessment of whether a wake vortex study is required, will need to be undertaken.

If deemed required this will need to be supplied to the airport for approval.

We will therefore need to object to these proposals unless the above mentioned condition/s is / are applied to any planning permission.

If you have any queries please do not hesitate to contact me. It is important that any conditions requested in this response are applied to a planning approval. Where a Local Planning Authority proposes to grant permission against the advice of London Southend Airport Company Limited, or not to attach conditions which London Southend Airport Company Limited has advised, it shall notify London Southend Airport Company Limited, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002. We would request a copy of the Decision Notice is sent to London Southend Airport when it is published.

Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

Any crane applications should be directed to [sam.petrie@southendairport.com](mailto:sam.petrie@southendairport.com) / 01702 538521.'

Officer Comment:

From previous information to the Flood Risk Assessment on the outline approved, the application site is described as 4m AODN (Above Ordnance Datum Newlyn (Cornwall) at street level and 13m AODN at the rear.

The outline application details state that the site would be raised 1m.

Allowing for the height of the proposed buildings (12.04m) + 1m site increase + 4m AODN would result in a height of 17.04m to street comparison and 26.04 m AODN at the rear and overall some 6.7m lower than the 32.74m safeguarding height for the airport, making the proposal acceptable.

Officers understand that the airport was aware of the sites recycling function and was mistakenly in the belief that this use would continue raising the issue of possible bird flight analysis and the risk to aircraft from seagulls and other birds attracted to the waste material. As the recycling use would cease on this site the airport are understood to no longer hold their objection.

Essex Police:

'Essex Police thank you for the opportunity to comment on planning application 23/00903/REM. Security forms a key part of a sustainable and vibrant development, and the Essex Police Designing Out Crime Office (DOCO) considers that it is important that this development is designed incorporating the maximum achievable benefit of Crime Prevention Through Environmental Design for which Secured by Design (SBD) is the preferred enabler. SBD is the official police security initiative that works to improve the

security of buildings and their immediate surroundings to provide safe places to live and work and is designed to address emerging criminal methods of attack. This reflects sections 92, 112 and 130 of the NPPF. Whilst there are no apparent concerns with the layout of this site, Essex Police requests that the developer seeks to achieve the relevant Secured by Design accreditation for this development, which in this case will be Secured by Design Commercial Developments. ([https://www.securedbydesign.com/images/COMMERCIAL\\_GUIDE\\_23.pdf](https://www.securedbydesign.com/images/COMMERCIAL_GUIDE_23.pdf)).

The DOCO would welcome the opportunity to discuss the points below as well as review the security of the complete site with the applicant. Lighting Considerations Lighting plays a pivotal role in deterring criminal activity, but also promotes a feeling of safety within that space. When designing both public and private space, and when applied and designed correctly, lighting can reduce the potential for crime. Essex Police recommend that lighting design meets the current relevant standard (i.e., the newest standard for street lighting BS5489-1 2020). Access Roads and Service yards With HGV and cargo crime being prevalent across Essex, careful consideration is required regarding the design of the proposed access road and parking for the proposed development. According to NaVCIS (National vehicle crime intelligence service,) Essex remains the area with the highest number of cargo crime reports, and therefore, it is important that the design of this area promotes good design and staff welfare.

#### CCTV Operation and supporting policies.

Although CCTV is not cited within the documents submitted to the planning portal for this application, it is assumed that the proposed site will have CCTV cameras; the most important aspect of utilising CCTV is the quality of the system and its imagery. This should be based on a series of comprehensive operational user and requirement tables. It requested that the CCTV will be monitored at all times, and therefore management plans and procedures, alongside data sharing protocols are required detailing the expectation of all parties. This will need to be embedded within contingency plans and overall policies and procedures. It should be acknowledged that despite the most careful appropriate design and incorporating the most sophisticated physical and electronic security measures the net result will be diminished without suitable policies and procedures. Moreover, the policies must be translated into practice through relevant management, training and evaluation. A policy folder on a shelf does not deliver the intended outcome; its implementation does. Boundaries.

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

The Essex Police Designing out Crime Team would welcome further consultation as part of the planning process, and if there are any further

queries around embedding designing out crime practices within this project, please do not hesitate to contact [designingoutcrime@essex.police.uk](mailto:designingoutcrime@essex.police.uk)

Environment Agency:

We have inspected the application as submitted and note that the conditions we requested in our response to 22/00677/OUT, letter reference AE/2022/127682, dated 29 March 2023, are not included on the planning permission for this development. Therefore, we would offer the following advice for the design of infiltration Sustainable Drainage Systems (SuDS) which the applicant should follow.

Advice to Applicant / LPA on Sustainable Drainage Systems (SuDS)

1. Infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
2. Infiltration SuDS have the potential to provide mobilise pollutants and must not be constructed in contaminated ground. They would only be acceptable if a site investigation showed the presence of no significant contamination.
3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.
4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.
5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).
6. SuDS should be constructed in line with good practice and guidance documents which include the SuDS Manual (CIRIA C753, 2015), Guidance on the Construction of SuDS C768 and the Susdrain website.

For further information on our requirements with regard to SuDS see our Groundwater protection position statements (2018), in particular Position Statements G1 and G9 – G13 available at: <https://www.gov.uk/government/publications/groundwater-protection-position-statement>

Essex County Council Sustainable Drainage Team (Suds)

We note that it relates to Condition 1 and 2 of 22/00677/OUT, neither of which is relevant to site drainage. As such we do not wish to comment in this instance.'

Essex County Council Highway Authority:

The application has been fully considered by the Highway Authority. The proposal includes access from Welton Way which is a private road within Purdeys Industrial Estate. The applicant has submitted plans to demonstrate vehicle tracking and parking within the curtilage. Therefore: From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. Prior to first occupation, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

2. Prior to first occupation of the development and as shown in principle on planning drawing 5199.601 Rev PL2 the site shall be provided with off street parking. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8. The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative: The requirements above shall be imposed by way of negative planning condition or planning obligation with associated legal framework as appropriate.'

Neighbour representations:

No neighbour comments received.

### **Relevant Development Plan Policies:**

National Planning Policy Framework (December 2023).

Core Strategy Adopted Version (December 2011) Policy CP1, ENV9, H6.

Development Management Plan (December 2014) Policy DM1, DM3, DM4, DM25, DM30.

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

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

The Essex Design Guide (2018).

**RECOMMENDATION: APPROVE**

Conditions:

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

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

2. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed in the application, unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure that the development harmonises with the character and appearance of the existing street scene, in the interests of visual amenity.

3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

5199 100 Rev. PL1, 5199 101 Rev. PL1, 5199 102 Rev. PL1, 5199 103 Rev. PL1, 5199 201 Rev. PL1, 5199 300 Rev. PL1, 5199 500 Rev. PL1, 5199 601 Rev. PL2, 5199 603 Rev. PL1, 5199 604 Rev. PL1, 5199 605 Rev. PL1, 5199 610 Rev. PL1,

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

4. Prior to planting, details of the species and plant density of the approved landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby permitted shall be carried out in complete accordance with the following approved landscaping plans: 5199 603 PL1 and 5199 610 PL1.

The landscaping scheme shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants)



removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

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

5. 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.

6. Prior to first occupation of the development and as shown on planning drawing 5199 601 Rev. PL2 the vehicle parking and turning area shall be provided. Each parking space shall have the required dimensions in accordance with current parking standards and the layout 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 and to ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

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

Application No:	23/00633/FUL      Zoning: Metropolitan Green Belt
Case Officer:	Mr Arwel Evans
Parish:	Rawreth Parish Council
Ward:	Downhall And Rawreth
Location:	Land West Side Junction Of Maple Drive Goldsmith Drive Rayleigh
Proposal:	Erection of a boundary fence, material operations on land involving the construction of a hard standing (Retrospective), and the erection of 2 buildings to serve an existing agricultural use

## **SITE AND PROPOSAL**

1. The application site is located on the west side of the Junction of Maple Drive and Goldsmith Drive, which constitute unadopted highways serving a limited number of residential properties. The site is relatively level and constitutes a total land area of approximately 2,460m<sup>2</sup> (approximately 0.24 Hectares) which is made up of 2,033m<sup>2</sup> of pasture and 427m<sup>2</sup> of gravelled hardstanding, the latter of which extends from north to south adjacent to the sites boundary with Maple Drive. There was as of the time of the officers site visit a touring caravan on this gravelled area.
2. The site is partially framed within a metal fence which runs from the corner of Maple Avenue with Goldsmith Drive in a southerly direction, being approximately 39 m in length and set back approximately 4.5 m from the edge of Maple Avenue. A fence of the same construction then runs in a westerly direction from the junction of Maple Drive with Goldsmith Drive extending a length of approximately 66m and set back approximately 5.5 m relative to the edge of Goldsmith Drive. To the rear (southern aspect) and western aspect of the site there is an area of woodland / scrubland which is contained by a typical agricultural wire fence.
3. Currently there is a wooden shelter and a metal container located close to a gated access adjacent to Goldsmith Drive occupying a central position within the north aspect of the site which is grazed by sheep.

### **Procedural matters:**

4. The description as originally cited by the application was noted to be as follows: 'Retention of land for use for keeping of sheep and retention of metal fencing and hard surfacing. Construct 2 No. field shelters'. This description as part of review during the planning application process has been revised by agreement with the agent in order to accurately reflect the nature and character of the existing use and development

and the development for which planning permission is required such that the revised description reads as follows:

Erection of a boundary fence, material operations on land involving the construction of a hard standing (Retrospective), and the erection of 2 buildings to serve an existing agricultural use.

5. Revised plans have also been submitted to provide greater clarity regarding what existing site features are to remain which were not clear on earlier submitted plans whilst the location of the field shelters proposed have been revised to achieve a better outcome in Green Belt terms. The revised plans indicate that the caravan located on the hardstanding will be removed as will a metal container and existing field shelter. The fence erected will remain and it is the case that following measurements taken of the height of the fence relative to the ground levels at its base there are parts of the fence which does not fall within planning control as it falls within the height limitations set out by the Town and Country General Permitted Development Order. However as there are some parts of the fence that slightly exceed this height limitation the fence where required is still subject to planning control and the reason for its inclusion in the application description.
6. A revised site layout plan indicates that the gravelled area which is being colonised by grass and vegetation will remain but as it is a material operation on land having being undertaken without the benefit of planning permission this aspect needs to be covered by the application. Communication with the council's Enforcement Team has resulted in a view taken that in applying the 'Expediency Test' as there is no identified harm caused to amenity or other interests by this hardstanding it would not be expedient to enforce and insist on its removal.
7. The revised and proposed site layout plan also shows the relocation of the proposed field shelters to provide shelter to sheep to the southern boundary of the site close to the woodland area sheltering and screening the site from a southerly direction which minimises the visual impacts of the development. The submitted plans indicate the siting of 2 buildings both 8 m in length, 3.6m in width and 2.60 m in height to their highest point bearing a shallow pitched mono pitch roof.
8. The Design and Access Statement submitted with the application explains that the site has been for sheep grazing for the last 10 years. The application follows a recent enforcement case, in which an enforcement enquiry was raised regarding the laid hardstanding on the eastern end of the site. This case is pending consideration. The applicant in an updated Design and Access Statement confirms that the land is within an agricultural use as defined by Section 336 Town & Country planning act 1990 (TCPA).

## **RELEVANT PLANNING HISTORY**

9. 20/00124/ENG\_B – Enforcement Enquiry – Hardstanding laid at the site – Pending Consideration.

## **MATERIAL PLANNING CONSIDERATIONS**

10. 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.
11. 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).

### **Principal of Development and Green Belt Considerations**

12. Section 13 – Protecting Green Belt land of the National Planning Policy Framework (NPPF) (The Framework) states that great importance is attached to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings in the Green Belt should be regarded as inappropriate except for in a limited number of circumstances including extensions to existing buildings that are not disproportionate. Development that does not fall to be considered under one of these categories will be considered inappropriate development which are by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
13. Paragraph 154 of the 'Framework' stipulates that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However there are exceptions made where as a matter of principle such buildings would be acceptable and would not be defined by definition as inappropriate. The Framework cited at exception (a) buildings for agriculture and forestry. Despite the physical extent of the pasture area in question the physical extent of any land is not the measure by which a use is defined. It is the officer's view that the site and use (notwithstanding what was originally intended by the hardstanding) falls within the definition of Agriculture as defined by Section 336 of the Town and Country Planning Act 1990 which

defined agriculture as follows: 'horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of farming the land, the use of the land as grazing land, meadowland, osier land, market gardens and nursery grounds. The proposed development is not inappropriate by definition. In term of the limited extent of fence boundary which is captured by the planning regime (and require retrospective planning permission) and the hardstanding it is not considered that these features constitute inappropriate development by definition.

### **The other harm**

14. In addition to the consideration of the principle of development and the consideration of inappropriateness the Framework advises that any other harm in Green Belt terms must be considered. This consideration of harm relates to openness which has a physical and spatial dimension as well as a visual dimension. The endeavour of any development proposals within the green belt is to mitigate and minimise harm where it would otherwise arise. The revised plans indicate a number of positive aspects including the removal of the caravan which is to be conditioned, the removal of the metal container and wooden shelter adjacent to Goldsmith Drive and the siting of 2 modest wooden field shelters adjacent to the southern boundary of the site where they will appear far less conspicuous in visual terms which will also minimise any perceived harm in Green Belt openness terms. The development is considered acceptable.
15. In terms of any Local Plan policy, policy GB1 of the council's Core Strategy aims to protect Green Belt land and aligns with the objectives of the Framework. There is no specific Development Control Policy relating to agricultural development such that the matters are adequately covered under the considerations of policy GB1 and the Framework which this development does not conflict with.

### **Highway Safety**

16. The Essex County Highway Authority have been consulted on the development and advise that as Maple Drive and Goldsmith Drive are both private roads, the proposal is acceptable to the Highway Authority and is not contrary to the Highway Authority Development Management Policies (2011).

### **Ecology**

17. Given the site characteristics, there are no other ecological considerations on site of note with this application.

## **CONCLUSION**

The development is considered acceptable and approval is therefore recommended subject to conditions:

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

Rawreth Parish Council – No comments received.

Neighbours - No comments received.

Essex County Highway Authority – No objection

### **Relevant Development Plan Policies:**

National Planning Policy Framework (December 2023)

Core Strategy Adopted Version (December 2011): Policy CP1, GB1,

Development Management Plan (December 2014): Policy DM1

### **RECOMMENDATION: APPROVE**

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 referenced 3966-03-1B (Existing Site Plan), 3966-03-2B (Proposed Site Layout Plan) and 3966-03-3 (Elevation and Floor Plans).

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

3. If not already done so the touring caravan as shown on plan reference 3966-03-1B (Existing Site Plan) shall be removed from site within 1 month from the date of grant of planning permission.

REASON: To ensure that the caravan is removed within a specified timescale in the interest of visual amenity in compliance with policy DM1 of the councils' Development Management Plan.

4. Notwithstanding the details of the submitted plans within 2 months of the erection and first use of the 2 new shelters shown on plan reference 3966-03-2B (Proposed Site Layout Plan) the existing

container and field shelter as shown on plan reference 3966-03-1B (Existing Site Plan) shall be removed from site.

REASON: To ensure that the existing structures are removed within a specified timescale in the interest of visual amenity in compliance with policy DM1 of the councils' Development Management Plan.

5. Within 3 months of the grant of planning permission a scheme of landscaping shall be submitted indicating a landscaping scheme incorporating new hedgerows along the boundaries of the site coinciding with the entire length of the steel fencing along both Maple Drive and Goldsmith Drive. The details shall include the species type, mix and planting density and the height of all species at their time of planting. The scheme to be approved in writing by the Local Planning Authority shall be implemented in its entirety in accordance with the submitted and approved details within the first planting season following the date of grant of consent. 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 an agreed location, in the first available planting season following removal.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014).

The local Ward Member(s) for the above application is/are Cllr J Newport Cllr C Stanley Cllr J E Cripps