

<p>Item 4 247 London Road, Rayleigh 12/00012/FUL</p>	<p>Comments from Essex County Council Highways</p> <p>Raise objection for the following reasons:-</p> <ol style="list-style-type: none"> 1. The proposal does not provide sufficient parking within the site for the proposed development. The lack of parking may well lead to vehicles being displaced onto the highway to the detriment of other road users and general highway safety. <p>The proposal would therefore be contrary to the aims and objectives of the County Council's Highways and Transportation development control policies February 2011 and the parking standards document issued by Essex County Council as supplementary planning guidance in February 2011, which refers to Parking Standards Design and Good Practice September 2009 (Essex Planning Officers Association/ECC).</p> <p>Note: On the previous appeal the inspector deemed that 15 spaces would be sufficient for this site. However, the parking proposed with this application is for a lower number of spaces and it is considered that these will not be sufficient.</p>
<p>Item 5 Timber Grove Elizabeth Fitzroy Homes, London Road, Rayleigh 12/00279/FUL</p>	<ol style="list-style-type: none"> 1. Revised Response from the County Education Authority <p>Advise that, following further representations from the applicants in that no education contribution was requested for the previous application and a reduced contribution for the adjoining E-on site it is therefore decided to accept the offer made by the applicants for a contribution of £44,534 for Early Years and Child Care in the Sweyne Park ward, index linked to April 2012 and omitting the secondary school contribution originally requested.</p> <p>Would like to make it very clear that the need for secondary school places in the area is great and, with the above, will only grow. All future applications will be requested to make a contribution to the secondary school need in the area.</p> 2. Revised Response from Rochford District Council Consultant Arboriculturalist <p>Having re-assessed with better quality plans now received the information supplied regarding which trees are to be retained/removed and the methods of protecting the retained trees is acceptable.</p>

	<p>The point about the large number of good trees to be removed remains the same. Whether this is acceptable is obviously down to the Local Planning Authority. The trees are not particularly visible from outside the site so realise the need for housing might outweigh the trees' benefits.</p> <p>3. Response from the Applicant in Response to the Officer Recommendation</p> <p>In addition to the revised education contribution above, note that whereas no request was previously made for a highways contribution in the previous application, a request is now made for £6,000 towards bus stop improvements on Little Wheatley Chase, £8,000 towards pedestrian improvements on London Road and £5,000 towards a traffic regulation order equating to £442 per unit, which contrasts to the similar requests for the adjoining E-on site, which equated to £248 per unit, but are prepared to accept the sums sought.</p> <p>Advise that £25,000 has already been spent by the applicant to upgrade the toilets at Pope John Paul Hall. Accept PCT contribution required of £19,000 that with the above equates to provision of local infrastructure at £2,726 per unit and notably higher than the £2,109 per unit at the E-on site. The Timber Grove scheme is contributing more than its fair share towards infrastructure in addition to providing the affordable dwellings.</p> <p>Consider connectivity issue addressed and landscaping condition acceptable. Consider Urban Design comments made inconsistent with the consideration of the layout of the E-on site. The current application has taken into account previous comments raised by the County Council's urban designer but would accept conditions to revise aspects of the design as condition 32 to the E-on approval as follows:-</p> <ol style="list-style-type: none"> 1. Centrally locate windows to some house types. 2. Reduction in canopy sizes. 3. Utilisation of uneconomic roof space. 4. Omit lower single storey projection to three storey units. <p>Advise that the applicant's ecologist has made a visual inspection and that there is no evidence of a bat roost in the present building or on the site.</p> <p>Understand the Environment Agency objections have been resolved but conformation could take 21 days.</p>
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	<p>Advise that, despite affecting preserved trees, the preferred pedestrian/cycle link can be realigned.</p> <p>A condition could require directional signs to show areas for visitor parking. Advise there are 106 car parking spaces comprising 9 for the care home, 86 for the 43 No. dwellings and 11 visitor spaces so this should not be a reason for refusal.</p> <p>Advise that Plot 43 is a two-bedroomed house, not three-bedroomed and therefore the garden area shown is acceptable. The two-bedroomed flat at plot 35 can be provided with a garden area of 80 square metres. This should not be a reason for refusal.</p> <p>Low metal railings will define the care home boundary in landscaped surroundings.</p> <p>The 29 houses in the Green Belt would not be started until spring 2016 satisfying Policy H2 and completed not much sooner than the Council's housing trajectory date of 2018 and affects only 5% of the 550 dwellings at issue. Consider the specific allocation of this site to be years away and registration authorities placing residents cannot wait. This exceptional need is very special.</p> <p>Site represents a logical extension of the built envelope and would not be piecemeal.</p> <p>Take issue with previous viability assessment by the Council based on current use value as land in reality is sold reflecting a price for its potential development and which accords with the NPPF, which acknowledges that "willing sellers" should receive "competitive returns." The Council's previous independent assessment should therefore be rejected.</p>
<p>Item 6 Brandy Hole Yacht Club, Kinsman's Farm Road Hullbridge. 12/00293/FUL</p>	<p>1. Application Description</p> <p>REMOVE EXISTING CHALETS AND CARAVANS AND CONSTRUCT 14 No. RAISED HOLIDAY CHALETS AND REVISED CAR PARKING LAYOUT</p> <p>2. Response from the Council's Consultant Ecologist in Response to Ecological Scoping Survey and Biodiversity Statement Submitted</p> <p>Advise that the most significant issue is the presence of SSSI, SAC, SPA and Ramsar site adjacent to the site. The submitted report is right to conclude that the impact of the</p>

	<p>development on the integrity of these Natura 2000 sites should be properly assessed. The Conservation of Habitats and Species Regulations (2010) require the Authority to make an appropriate assessment of the implications for that site in relation to its conservation objectives. It is for the applicant to supply that information. There is insufficient information in the report for Rochford District Council to be able to make that determination and so planning permission should not be granted. As suggested in the report, a desk exercise and bird surveys would be required to provide the relevant information and these will need to be submitted prior to the application being determined.</p> <p>Regarding great crested newts, it should be noted that brackish water conditions are not enough to rule out the presence of great crested newts, although in this instance the assessment that their presence is unlikely is considered to be justified. It should also be noted that there are records of great crested newts approximately 1km to the south east of the site, which were not revealed by the “web-based” desk study undertaken.</p> <p>In essence the mitigation strategy recommended to protect reptile populations is acceptable but it doesn't specify timing. The recommended approach is unlikely to be effective approaching hibernation or during July/August when reptiles are less active, as the reptiles would be as likely to retreat underground as to leave the construction area. This is particularly the case where refuges such as spoil heaps are present.</p> <p>There is no justification for the recommendation of 15 days trapping, which does not conform to available guidance, especially without a supporting survey to estimate population size. Current guidance would suggest a minimum of 60 days capture for even a low population of common lizards, albeit this could be modified by additional habitat management measures. Even Natural England's withdrawn reptile mitigation guidelines would suggest a minimum of 25 days with grass snakes present (or even if adders were known to be present, as is likely). The requirement for seven days without capture or observation (five days are usually recommended) would prevent the cessation of trapping too soon, but the expected length of the exercise should be realistic.</p> <p>The presence of reptiles and the need for a more detailed plan of mitigation is not a reason for refusal, as there is no doubt that the impacts of the scheme can be successfully</p>
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	<p>mitigated.</p> <p>Water voles are known to be present less than 600m from the site, which was not recognised in the desk study. Although perhaps not sufficient to support a breeding population, a search for evidence would have been expected as part of the survey to avoid the need for speculation. Five metres from the top of the bank of the ditch would be appropriate as a buffer, but consent should not be granted where further survey work is recommended, as is the case here should a five metre buffer not be possible.</p> <p>Recommend refusal of the application until sufficient information is provided for the Council to judge whether or not an appropriate assessment is required in relation to the proximity of the proposal to a Natura 2000 site. Furthermore, a more detailed and justified mitigation plan should be requested in relation to reptiles and water voles before any construction activity could take place.</p> <p>3. Response from Natural England in Response to Ecological Scoping Survey and Biodiversity Statement Submitted</p> <p>Designated Sites</p> <p>As identified in the ecological scoping survey and biodiversity statement, the application site is adjacent to Crouch and Roach Estuaries Site of Special Scientific Interest (SSSI). This SSSI is part of the Crouch and Roach Estuaries Mid-Essex Coast Phase 3 Special Protection Area/Ramsar and Essex Estuaries Special Area of Conservation.</p> <p>Paragraphs 3.2 – 3.9 of the ecological scoping survey and biodiversity statement highlight the potential for impacts on the SPA resulting from the proposed development during the operational phase. Natural England concurs with the conclusions that further survey works are required to understand the implications of the development upon the SPA/SSSI and would recommend that this be secure by way of an appropriately worded condition, should planning permission be granted.</p> <p>Your Authority should be mindful that disturbance may also occur during the construction of the development should this be during the over wintering period for a number of waders and wildfowl, notably an interest feature</p>
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	<p>of the SPA. In this regard it would be recommended that construction be undertaken outside of this period (October- March inclusive) and secured by way of condition.</p> <p>Protected Species</p> <p>Where there is a reasonable likelihood of a protected species being present and affected by the proposed development, the LPA should request survey information from the applicant before determining the application (Paragraph 99 Circular 06/05) and should undertake further consultation with Natural England.</p> <p>Local Wildlife Sites</p> <p>If the proposal site is on or adjacent to a local wildlife site, e.g., site of nature conservation importance (SNCI) or local nature reserve (LNR) the Authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application.</p> <p>Biodiversity Enhancements</p> <p>This application may provide opportunities to incorporate features into the design, which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The Authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.</p> <p>4. Response to Consultation from the Environment Agency</p> <p>Note that it is confirmed that finished ground floor levels will be set level of 5.65 AOD, which is acceptable in flood risk terms and note this can be covered by condition.</p> <p>Recommend the following condition:-</p> <ol style="list-style-type: none"> 1. The buildings shall be designed to withstand the hydrostatic and hydrodynamic pressures of water for all events up to and including the 1 in 200 year flood event, inclusive of climate change.
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	<p>Have considered the flood plan prepared by the agent and the information submitted and confirm that the agency has no objection on flood risk grounds.</p> <p>Recommend that the Local Planning Authority, in consultation with its emergency planners, is satisfied that the plan is fit for purpose before permission is granted. It is not within the normal remit of the agency to comment on or approve the adequacy of site flood plans and procedures accompanying development proposals as we do not carry out these roles during a flood. Our involvement during an emergency will be limited to delivering flood warnings to occupants/users. It is therefore imperative that you are satisfied that the flood plan is suitable before planning permission is granted.</p>
	<p>5. Further Neighbour Letters</p> <p>Four further letters have been received from the following addresses:-</p> <p>Kingsmans Farm Road: "Crouch End" "Springtide" "Highwood" "Cariads Rest" "Even Keel"</p> <p>and which in the main make the following comments and objections, in addition to those set out in the report:-</p> <ul style="list-style-type: none"> ○ Flooding concerns as the land drains have been blocked by current and previous owners causing recent flooding. ○ Large amount of asbestos used to fill the old ditch. ○ None of the existing chalets and caravans were ever connected to main drains. ○ New build will cause too much strain on already over used sewage system. ○ Extra litter and noise and night disturbance from events. ○ Small single file in private road not capable of taking extra traffic. ○ Impact of construction traffic on private road. ○ Green Belt area which residents have had much less intrusive development refused. ○ Could set precedent for similar development to the adjacent boat yard.
	<p>6. Revised Recommendation</p> <p>In view of the response to consultation on the more recently submitted ecological scoping survey and biodiversity statement a revised reason is necessary to</p>

	<p>reflect the details of the application. The REVISED RECOMMENDATION IS REFUSAL for the following revised reasons:-</p> <ol style="list-style-type: none"> 1. Insufficient information has been submitted to allow the Local Planning Authority to give proper consideration to the impact of the development upon the conservation objectives for the adjoining Site of Special Scientific Interest, Special Area of Conservation, Special Protection Area and Ramsar site (Wetlands of International Importance) (Natura 2000 sites). It is necessary to submit a desk top study and bird surveys in relation to those sites and consideration of the impact of the proposal upon those species and habitat in order to allow the Local Planning Authority to properly consider the impact of the development upon these adjoining conservation sites. 2. Insufficient information has been provided by way of survey information to establish the presence and populations of protected species present on the site likely to be affected by the development and suitable mitigation, if required, to allow the Local Planning Authority to properly consider the issue of the effect of the proposal upon protected species populations likely to be present on the site.
<p>Item 7 233 Rectory Road Rochford Essex 12/00371/FUL</p>	<p>1. Application Description</p> <p>DEMOLISH EXISTING DWELLING ON SITE AND ERECT DETACHED FOUR-BEDROOM HOUSE WITH INTEGRAL GARAGE.</p> <p>2. Additional Plan and Image</p> <p>The applicant has provided an additional plan showing an amended parking/storage and landscaping proposal and an image of the picket fence proposed to the front boundary. The new plan shows the ability to park on the site and to provide an area for a site office, skip and the storage and reception of building materials clear of the highway. This plan is considered to provide an acceptable layout for on site operatives' parking during the course of the development.</p> <p>The landscaping plan now shows a 700mm high picket fence and 600mm high box hedge with lawn in place of the 1m high brick wall and smaller lawn area initially proposed. It also shows a 1m high fence stopping 1.5m back from the footpath. The white picket fence with box hedge and larger lawn area</p>

	<p>behind is considered to form acceptable soft landscaping at this site. The provision of the hedge alleviates initial concerns relating to the lack of hedge/shrub planting and the picket fence provides visibility of the hedge. Whilst the larger lawn area would reduce the hard surfaced area at the site, two parking spaces could still be provided on the driveway within the 5.5m x 2.9m bay size criteria within the Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010.</p> <p>3. Revised Officer Recommendation</p> <p>The officer recommendation remains a RECOMMENDATION FOR APPROVAL as reported, but with the following conditions/ informative to be added.</p> <p>It is suggested that planning condition 7 be removed and replaced with the following condition:-</p> <p>7. The hard and soft landscaping and boundary treatment shown on drawing no. DMG/11/028/7A and within the picket fence image date stamped 24 August 2012 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.</p> <p>It is suggested that planning condition 12 be amended by removing reference to drawing no. DMG/11/028/7 and replacing it with drawing no. DMG/11/028/7A, so the condition would read as follows:-</p> <p>12. The area within the curtilage of the site identified for the parking of operatives' vehicles and the reception and storage of building materials clear of the highway on drawing no. DMG/11/028/7A shall be implemented during the course of the development.</p> <p>It is suggested that the following informative be added:-</p> <p>5. 'The applicant should be advised that any damage that has and may continue to occur to the footpath shall be</p>
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	discussed with Essex County Council Highways department and be repaired where required by and in accordance with Essex County Council'.
Item 8(1) Land Rear of 24 and 26 Stambridge Road, Rochford 12/00418/FUL	<p>1. Application Description</p> <p>SUB-DIVIDE PLOTS AND CONSTRUCT ONE THREE-BEDROOMED BUNGALOW, FORM ACCESS TO SIDE OF No. 26 STAMBRIDGE ROAD, FORM NEW VEHICULAR CROSSING AND PARKING TO FRONT OF No. 26 STAMBRIDGE ROAD</p> <p>2. Comments from Essex County Council Highways</p> <p>No objection to raise, subject to the following heads of conditions:-</p> <ol style="list-style-type: none"> 1. Prior to the commencement of the development provision of 1.5m x 1.5m pedestrian visibility splays. 2. Prior to occupation of the new property a vehicular turning facility of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose. 3. A minimum distance of 6m shall be provided behind the rear of the parking bays for the new property and the site boundary. 4. Two vehicular hard standings having minimum dimensions of 2.9m x 5.5m for each vehicle shall be provided for each property. 5. Prior to occupation of the development the vehicular accesses for both properties shall be provided with appropriate dropped kerb vehicular crossings of the footway, which are tight/in line with each access, to the satisfaction of the Highway Authority immediately the proposed new accesses are brought into use. Where necessary, this shall incorporate the reinstatement to full height of the highway kerbing. 6. No unbound material shall be used in the surface treatment of the vehicular accesses within the first 6m of the highway boundary. 7. Prior to the commencement of the development details to be submitted to the Local Planning Authority showing the means to prevent the discharge of surface water flowing onto the highway.

	<p>8. Prior to the commencement of the development the applicant shall indicate in writing to the Local Planning Authority provision of an area within the site for the reception and storage of building materials clear of the highway.</p> <p>3. Further Neighbour Letter</p> <p>One further letter has been received from the following address:-</p> <p>Stambridge Road: 24</p> <p>And which in the main makes the following comments:-</p> <ul style="list-style-type: none">o Wish to point out an error regarding the Tree Protection Order for a Chilean pine. TOP 22/07 actually relates to a holly tree situated in the front garden to No. 24 and not the Chilean pine situated in the site. The actual report to which the Council's consultant arboriculturalist refers to the holly tree, which should be corrected. <p>4. Response from Applicant</p> <p>In response to concerns raised the applicant has advised informally that he does have someone interested in purchasing the site of 26 Stambridge Road if it gets consent and this would involve 26 being refurbished, along with the building of the new bungalow. Given the representations made, the applicant is expecting the application to be refused permission and, if so, he will be appealing that decision.</p> <p>5. Revised Officer Recommendation</p> <p>Following the receipt of comments from the County Highway Authority officers find it necessary to review the highway conditions recommended and a revised wording to condition 4 of the recommendation.</p> <p>The REVISED RECOMMENDATION IS APPROVAL, subject to those conditions set out in the officer report and a revised condition 4 as follows:-</p> <ul style="list-style-type: none">4. Prior to the first use of the dwelling hereby approved two vehicular hard standings, having each dimensions of 2.9m x 5.5m, shall be provided for both the proposed bungalow and the existing bungalow No. 26 Stambridge Road in accordance with the details shown on the proposed layout of the site and that for No. 26 Stambridge Road.
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