

## **Development Committee – 20 October 2011**

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Minutes of the meeting of the **Development Committee** held on **20 October 2011** when there were present:-

Chairman: Cllr P A Capon

Cllr C I Black	Cllr Mrs C M Mason
Cllr Mrs T J Capon	Cllr J R F Mason
Cllr M R Carter	Cllr Mrs J E McPherson
Cllr J P Cottis	Cllr Mrs J A Mockford
Cllr T G Cutmore	Cllr R A Oatham
Cllr J E Grey	Cllr R D Pointer
Cllr Mrs A V Hale	Cllr C G Seagers
Cllr Mrs D Hoy	Cllr S P Smith
Cllr M Hoy	Cllr M J Steptoe
Cllr K H Hudson	Cllr I H Ward
Cllr Mrs G A Lucas-Gill	Cllr Mrs M J Webster
Cllr C J Lumley	Cllr P F A Webster
Cllr Mrs J R Lumley	Cllr Mrs B J Wilkins

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs P Aves, Mrs H L A Glynn, K J Gordon, M Maddocks, D Merrick, T E Mountain, A C Priest, J Thomass and Mrs C A Weston.

### **OFFICERS PRESENT**

J Whitlock	- Planning Manager
K Rodgers	- Team Leader (Area Team South)
M Stranks	- Team Leader (Area Team North)
N Khan	- Principal Solicitor
S Worthington	- Committee Administrator

### **PUBLIC SPEAKERS**

Mr B Howes	- for schedule item R1
Mr J Mullens	- for schedule item 3

### **245 MINUTES**

The Minutes of the meeting held on 22 September 2011 were approved as a correct record, subject to noting apologies from Cllr T E Mountain, and signed by the Chairman.

### **246 DECLARATIONS OF INTEREST**

Cllr Mrs T J Capon declared a prejudicial interest in item 3 of the schedule by virtue of being employed by Sanctuary Housing and left the Chamber during discussion of that item. Cllr P A Capon also declared a prejudicial interest in

item 3 of the schedule by virtue of his wife being employed by Sanctuary Housing and left the Chamber during discussion of that item.

Cllrs Mrs A V Hale, M Hoy, Mrs J E McPherson and Mrs J A Mockford each declared a prejudicial interest in item 3 of the schedule by virtue of membership of the Rochford Housing Association Board and left the Chamber during discussion of that item.

Mr M Stranks declared a personal interest in item R5 of the schedule by virtue of being personally acquainted with the applicant, but had had no involvement in the officer's report.

### **247 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS / ITEMS REFERRED FROM THE WEEKLY LIST**

The Committee considered the schedule of development applications, together with items 11/00541/COU and 11/00509/FUL, which had been referred from the Weekly List.

#### **Item R1 – 11/00485/FUL – Rayleigh Tennis Club, Watchfield Lane, Rayleigh**

**Proposal** – Extension to club house.

#### **Resolved**

That the application be approved, subject to the following conditions:-

- 1 SC4B – Time limits full - standard
- 2 The external facing materials to be used in the construction of the development hereby permitted shall match (ie, be of an identical appearance to) those of the corresponding areas of the existing building).
- 3 Notwithstanding the door to the side elevation, as shown on the approved plans, there shall be no doors or openable windows on the east facing side elevation. Prior to the commencement of development, the details of any window proposed on this elevation shall be submitted to and agreed in writing by the Local Planning Authority and retained thereafter in the approved form.
- 4 Before any use commences in the extension, the external shell of the extension hereby permitted shall be insulated against the egress of internally generated noise, in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority.

Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.

### INFORMATIVE

The agent's letter, as reported on the addendum, was noted by Members in determining this application. (HPT)

### **Item 2 – 11/00520/FUL – Land North of the Pavilion, Connaught Road, Rayleigh**

**Proposal** – Installation of new car park (including height restriction barrier and gate and creation of two vehicle passing points adjacent Connaught Road.

This application was deferred for further consideration.

### **Item R4 – 11/00541/COU – Pudsey Hall Farm, Pudsey Hall Lane, Canewdon**

**Proposal** – Change use of redundant farm buildings to use classes B1 (business/offices/light industry), class B2 (general industrial) and class B8 (storage and distribution). Provide open storage area for steel fabricating business.

### **Resolved**

That the application be refused for the following reasons:-

- 1 The proposal incorporates a B2 use within a building and on adjoining land for use as for steel fabrication and open storage. It is likely that, given the heavy nature of steel work, the use would require substantial mechanical handling equipment and extensive open storage that would be visible from the wider area and the river Crouch, which would impact adversely upon the character and openness of the Metropolitan Green Belt contrary to part (v) to Policy R9 to the Council's saved Local Plan (2006). It would impact adversely upon the appearance of the Roach and Crouch Marshes Special Landscape Area contrary to Policy NR1 to the Council's saved Local Plan (2006) and impact adversely upon the undeveloped coastal areas within the Coastal Protection Belt contrary to Policy CC1 to the Essex and Southend-on-Sea Replacement Structure Plan (2001).
- 2 In the opinion of the Local Planning Authority the proposal would give rise to an intensification in the use of the site in a remote location giving rise to increased traffic on a remote dead end unmade road distant

from the highway network contrary to Part (vi) of Policy R9 to the Council's saved Local Plan (2006). If allowed, the proposal would result in increased pressure on the surrounding rural road network to the detriment of residential amenity of residents near to the site.

- 3 The proposal includes a Use Class B2 (General industrial use) and in particular steel fabrication which, by way of noise and disturbance, could harm the quiet high level of amenity currently enjoyed by nearby residents in the site vicinity. The information submitted with the application does not include an indication of the site's suitability for B2 use; the extent of the proposed steel fabrication activities; or an acoustic report providing analysis of the extent of any noise impacts or suggestions for appropriate mitigation. It has therefore not been demonstrated to the satisfaction of the Local Planning Authority that the noise that would be generated by the proposed B2 use (and in particular from the proposed steel fabrication) could be mitigated to ensure that the use would not have a harmful and unacceptable impact on the residential occupiers of the neighbouring properties in the vicinity of the site. Pudsey Hall Lane is an unmade plotland type road, which, in the opinion of the Local Planning Authority, would be inadequate to provide regular access, egress and manoeuvring for the large lorry vehicles required to deliver large sized steel materials to serve the steel fabrication use proposed. If allowed, the proposal would give rise to vehicle conflict in Pudsey Hall Lane between such lorries attempting to deliver material to the site and domestic cars and vehicles servicing the existing properties fronting Pudsey Hall Lane to the detriment of the free flow of traffic and residential amenity more generally. (HPT)

### **Item R5 – 11/00509/FUL – Gusted Hall Farm, Gusted Hall Lane, Hawkwell**

**Proposal** – Construction of grain store.

#### **Resolved**

That the application be refused for the following reasons:-

- 1 The proposal, by virtue of its proposed siting, design, size and materials proposed, is considered to have an adverse visual impact in the landscape contrary to the appearance and openness of the Metropolitan Green Belt and it is considered that it would not respect the character and appearance of the nearby poultry buildings contrary to parts i) and ii) of policy R8 of the Rochford District Replacement Local Plan 2006.
- 2 The proposal, by virtue of the siting, design, size and materials proposed, would not accord with the character of the Special Landscape Area in which the development is proposed contrary to

policy NR1 of the Rochford District Replacement Local Plan 2006.  
(HPT)

**(Note:** On a motion moved by Cllr T G Cutmore and seconded by Cllr P A Capon it was resolved that the remainder of the meeting would be chaired by Cllr S P Smith).

### **Item 3 – 11/00418/FUL – Stratford House, Hockley Road, Rayleigh**

**Proposal** – Demolition of existing redundant sheltered housing accommodation and construct 2, 3 storey buildings to provide 4 x 1-bed and 2 x 2-bed flats and 1 x 1-bed wheelchair flat, 1 x 2-bed duplex flat and terrace of 5 x 3-bed houses with associated landscaping, parking and new vehicular accesses.

### **Resolved**

That the application be approved, subject to the following conditions and to the submission of a signed Unilateral Undertaking for contributions of £8,000 (ECC Highways) and £19,656 (ECC Schools):-

- 1 SC4B time limits full – standard.
- 2 Notwithstanding the proposal as shown on the tree protection plans Drawing Nos., c110614-01, c110614-02 and c110614-03, to remove the existing tree no. 954, this tree shall not be removed but shall be retained as existing unless the applicant demonstrates by submission in writing (which shall be approved by the Local Planning Authority) to the satisfaction of the Local Planning Authority that the parking spaces to be provided adjacent to this tree cannot be provided without the need to remove the tree.
- 3 Prior to commencement of the development hereby approved, precise details of the means of protection of the listed milestone adjacent to the site during demolition and construction shall be submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the details agreed.
- 4 No development shall commence before details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority, shall be those used in the development hereby approved.
- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order,

with or without modification) no extensions shall be erected on any elevations of the terraced dwelling houses hereby permitted.

- 6 No development shall commence before plans and particulars showing precise details of the hard and soft landscaping, which shall form part of the development hereby permitted have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:-

- Schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- Areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- Paved or otherwise hard surfaced areas and the material to be used in such, which shall for the parking areas create a porous or permeable surface and which shall not include any unbound material to be used in the surface treatment of the vehicular access within 6 metres of the highway boundary;
- Means of enclosure and other boundary treatments and materials to be used in such

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.

- 7 No development shall commence before all existing trees to be retained as shown on the tree protection plans drawing nos. c110614-01, c110614-02 and c110614-03 have been protected to the extent detailed on these plans with protective fencing, as detailed in the submitted tree report dated July 2011 and September 2011, which shall remain for the duration of the development hereby permitted. Such protective fencing shall be removed only when the full extent of the development (including all underground services and works) have been completed. Under no circumstances shall any equipment or materials (including displaced soil) be stored or buildings or structures erected (including site offices), nor shall any changes be made to the existing ground level within the area marked by the fencing. Signs will be placed and retained on the tree protective fencing outlining its importance and emphasising that it is not to be moved during the

construction period with the permission of the Local Authority.

- 8 Unless the removal of tree no. 954 has previously been agreed by condition 2, no development shall commence before precise details have been submitted in writing and agreed by the Local Planning Authority showing the position of protective fencing to be installed around this tree during demolition and construction hereby approved. The protective fencing to this tree shall be installed in accordance with the details agreed prior to the commencement of any demolition hereby approved and shall remain for the duration of the development hereby permitted. Such protective fencing shall be removed only when the full extent of the development (including all underground services and works) have been completed. Under no circumstances shall any equipment or materials (including displaced soil) be stored or buildings or structures erected (including site offices), nor shall any changes be made to the existing ground level within the area marked by the fencing. Signs will be placed and retained on the tree protective fencing outlining its importance and emphasising that it is not to be moved during the construction period with the permission of the Local Planning Authority.
- 9 No access into the RPA (root protection area) of any tree to be retained shown on tree protection plans drawing nos. c110614-01, c110614-02 and c110614-03 including tree no. 954 subject to conditions 2 and 3 above, shall take place, except if permission has been requested in writing and granted by the Local Planning Authority prior to doing so and providing that all works in this protective area are supervised by a qualified arborist.
- 10 Arboricultural site supervision will be undertaken once a month for the duration of the project to ensure that all protection measures are being implemented and maintained. A log of visits shall be kept in the site office for inspection by the Local Authority, if required.
- 11 Prior to the commencement of the development hereby approved, elevation drawings at a scale of at least 1:20 (adequate to show the necessary level of detail) and annotated sectional drawings at a scale of at least 1:2 of each window and door type proposed in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority, together with details of the proposed material to be used in construction, including finish and paint colour, where applicable. All windows which shall be timber and doors used in the development hereby approved shall be provided strictly in accordance with the details agreed.
- 12 Prior to commencement of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access into the site off Swayne Court and shall be provided to the western side of

the proposed tandem parking spaces, also accessed off Sweyne Court. Such visibility splays shall be retained free of any obstruction above 600mm in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

- 13 The vehicular access and hardstandings shall be provided with appropriate dropped kerb vehicular crossings of the footway as shown on the drawing. The redundant lengths of existing vehicular crossings should be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway footway kerbing, to the satisfaction of the Highway Authority immediately the proposed new accesses are brought into use.
- 14 Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a residential travel information pack for sustainable transport, approved by Essex County Council, to include 10 (ten) all Essex Scratchcard tickets.
- 15 The dwellings hereby approved shall remain 'affordable housing' within the definition of such contained within annex B of Planning Policy Statement 3: Housing dated June 2011 in perpetuity, unless a tenant wishes to exercise their right to acquire (if the property is rented) or staircase up to 100% (if the tenant buys a share [shared ownership]).
- 16 The demolition hereby approved shall not take place until a contract for the carrying out of works of re-development has been made and planning permission for those works has been granted.
- 17 Prior to commencement of the development hereby approved a nocturnal survey of the existing buildings for the presence of bats shall be conducted in order to ascertain whether roosting bats are present at the site. Details of the survey results in a report including mitigation measures to be undertaken and a timeframe for implementation if roosting bats are found to be present shall be submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures agreed shall be implemented on site to the timeframe agreed.
- 18 Prior to commencement of the development hereby approved, details governing nomination rights that are to be granted to Rochford District Council for the affordable housing units hereby approved at the site shall be submitted to and agreed in writing by the Local Planning Authority. The allocations process for the affordable housing units on the site shall be conducted strictly in accordance with the nomination rights agreed. (HPT)

The meeting closed at 9.00 pm.

Chairman .....

Date .....

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