



**Rochford District
Council**

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1991

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**Rochford District
Council**

ROCHFORD DISTRICT COUNCIL MINUTES

1991

November

ROCHFORD DISTRICT COUNCIL

Minutes of the Health & Housing Services Committee

At a Meeting held on 5th November 1991. Present: Councillors
Mrs. S.J. Lemon (Chairman), R.A. Amner, Mrs. V.J. Arnold, P.A. Beckers,
R.H. Boyd, M.C. Brown, Mrs. J.A. Christie, B.A. Crick, T. Fawell,
D F. Flack, Mrs. J.M. Giles, N. Harris, Mrs. E.M. Hart, Mrs. J. Helson,
Mrs. A.R. Hutchings, Mrs. E. Marlow, R.A. Pearson, T.A. Powell, J.M. Roden
and R.E. Vingoe

Apologies: Councillors S.N. Jarvis and Mrs. M.W. Stevenson.

Visiting: Councillors Miss B.G.J. Lovett and S.A. Skinner.

568. MINUTES

Resolved that the Minutes of the Meeting of 3rd October 1991 be approved as a correct record and signed by the Chairman

569. MONITORING OF PERFORMANCE - MEETINGS OF 12TH MARCH, 20TH JUNE 1991 AND SPECIAL MEETINGS OF 11TH JULY AND 28TH AUGUST 1991

The Committee were satisfied that all necessary action had been taken. Minutes 630/90 (ACE), 633/90 (SOL), 334/91 (CEHO) and 335/91 (CEHO) were carried forward.

570. CHILDREN'S HOSPICE FOR THE EASTERN REGION - CHILDREN'S HAVEN APPEAL (Minute 495/91)

The Chairman welcomed Mrs. V. Kilner, the Fund Raising Manager of the Children's Haven Appeal, who advised those present that the purpose of the Children's Hospice at Milton, Cambridge was to care for chronically sick children and to provide respite care to the families concerned. The Hospice served eight Counties including Essex and was dependent solely upon donations. Having viewed a video presentation showing the needs of the families and children and the standard of caring provided, the Chairman thanked Mrs. Kilner for her attendance and asked that a further report be made to the next Meeting on possible means of raising funds within the District.

RECOMMENDED That arrangements be made accordingly. (211) (DF(D))

571. PROVISION OF FACILITIES FOR NURSING MOTHERS (Minute 278/91)

The Committee considered the report of the Assistant Chief Executive on the limited potential to provide suitable facilities for nursing mothers within Council-owned buildings and suggested that their availability should be drawn to the attention of the visiting public by appropriate signing.

RECOMMENDED (1) That the first aid room at Clements Hall Leisure Centre be recognised officially for the use of nursing mothers and that the National Babycare Symbol be applied to this facility.

(2) That in respect of the Council's other buildings, nursing facilities should be provided when requested.

Health and Housing Services

(3) That the ladies toilet facilities at the Civic Suite and Mill Hall, Rayleigh and the Freight House and Council Offices at Rochford should carry a changing mat as well as a supply of 'baby wipes' and talcum powder, to be purchased from within existing budgets. (26609)(ACE)

572. CONTROL OF STRAY DOGS (Minute 337/91)

The Committee considered the report of the Assistant Chief Executive on alternative methods by which the Council could meet the new requirement to handle stray dogs under the Environmental Protection Act 1990, Section 149.

RECOMMENDED (1) That approval be given for Officers to continue their investigations.

(2) That the Services Manager be the designated Officer for the purpose of the Act.

(3) That provision of £5,000 be made in the Draft Estimates for 1992/93 for this purpose. (20826)(ACE)

573. THE ENVIRONMENT AGENCY - CONSULTATION PAPER

The Committee had before them the appended report of the Chief Environmental Health Officer concerning a Government consultation paper on proposals to establish a new Environment Agency.

RECOMMENDED That the Council's response to the Environment Agency consultation paper be as set out in the report. (196)(CEHO)

574. RECYCLING CHRISTMAS TREES (Minute 255/91)

The Assistant Chief Executive reported on the arrangements to promote a trial scheme to recycle Christmas Trees in January 1992 at three major locations the details of which were noted.

RECOMMENDED That the arrangements be approved. (1346)(ACE)

575. THE CHIEF HOUSING MANAGER

Members were pleased to note the report of the Chief Executive (Designate) on a personal invitation for the Chief Housing Manager to join the Regional Committee of Sanctuary Housing Association and that this prestigious appointment would broaden his knowledge of the housing association movement whilst not interfering with the performance of his duties.

RECOMMENDED That approval be given to the Chief Housing Manager taking membership of Sanctuary Housing Association. (2112)(CHM)

576. PERFORMANCE INDICATORS 1990/91 (Minute 496/91)

The Committee noted the report of the Chief Housing Manager on performance indicators for the Housing Department during the period 1st April to 11th October 1991. (225)

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Health and Housing Services

577 DISPERSED ALARM SYSTEMS (Minute 63/91)

The Committee considered the report of the Chief Housing Manager on a scheme for providing dispersed alarm systems to elderly residents within the District at no cost to the Council and concurred with the suggestion of a Member that one means of publicising the scheme would be through the WRVS Meals on Wheels service.

RECOMMENDED (1) That the Chief Housing Manager arrange for staff to be trained in order that dispersed alarm equipment may be installed in residents' homes.

(2) That a charge of £10 - reviewable annually - be made for this service.

(3) That the Council promote the dispersed alarm services of neighbouring Districts. (225)(CHM)

578. SMOKE ALARMS (Minute 529/90)

The Committee considered the joint report of the Director of Development and Chief Housing Manager on the cost of fitting and maintaining smoke alarms in tenanted property and the likelihood of new legislation being brought forward to clarify the present legal situation relating to private landlords in the light of which it was

RECOMMENDED (1) That the existing programme of fire alarm system improvements in sheltered accommodation be continued.

(2) That until the legislation is revised no further action be taken in providing smoke detectors in other units. (313)(DD)

579 TENANT PARTICIPATION - THE NEXT STEPS (Minute 149/89)

The Committee considered the report of the Chief Housing Manager on ways of increasing the effectiveness of tenant participation within the District following publication of the Government's White Paper on the Citizen's Charter.

RECOMMENDED (1) That the Council join the Tenant Participation Advisory Service with effect from 1st January 1992.

(2) That annual grants of £100 and £150 respectively be made to Rochford & Stambridge and Rayleigh & Rawreth Tenants Associations subject to satisfactory accounts and constitutions being seen.

(3) That estate budgets totalling £6,000 be reserved for Tenants Associations' proposals for the year 1992/93. (225)(CHM,DF(D))

580. TENANTS IMPROVEMENTS - REIMBURSEMENT SCHEME

The Committee considered the appended report of the Director of Development proposing the introduction of a scheme to reimburse tenants leaving a property should they have made agreed improvements to the property at their own expense, subject to a maximum of 80% in the first year reducing by 20% per annum thereafter. Some Members expressed reservations that the reduction should be phased over a longer period but the Committee voted on balance to accept the scheme.

Health and Housing Services

RECOMMENDED That the tenants improvements reimbursement scheme be introduced on 1st April 1992 on the basis set out in the appended report. (225)(CHM,DF(D))

581. GARAVAN SITE - "GREENACRES", PARK GARDENS, HAWKWELL (Minute 254/87)

The Committee considered the appended report of the Chief Environmental Health Officer outlining the basis on which it was proposed to regularise the long-standing use of this land as a caravan site.

Resolved that the Chief Environmental Health Officer be authorised to issue a caravan site licence in respect of land at "Greenacres", Park Gardens, Hawkwell, subject to any necessary planning permission and to the appended site licence conditions. (1339)(CEHO)

582. HOMELESSNESS CODE OF GUIDANCE FOR LOCAL AUTHORITIES (THIRD EDITION)

The Chief Housing Manager reported that Council practice for dealing with the homeless complied with the recommendations contained within the above document except that there was not an Appeal Panel at Member level as recommended under Paragraph 9.6.

The Committee were of the opinion that a Homelessness Appeals Panel would usefully complement the present decision-making process and accepted that the Terms of Reference should be

1. To consider all appeals made by applicants for housing who have sought assistance under the current legislation pertaining to the homeless.
2. To determine whether or not the Council should accept appellants under its statutory duties to the homeless.
3. To notify appellants of the decision reached.

P. RECOMMENDED That the Policy & Resources Committee be requested to approve the introduction of a Homelessness Appeals Panel comprising five Members and that the Terms of Reference be as set out above. (2122)
(GE(D),CHM)

*Cross-referenced
with Minute 26/91
P8 R CHM 26/11/91*

583. RECYCLING (Minute 483/91)

The Assistant Chief Executive reported on the outcome of further discussions with the Salvation Army regarding Textile Banks in consequence of which it was

RECOMMENDED That approval be given for the introduction of Textile Banks at the following sites:-

1. Websters Way Car Park, Rayleigh.
2. Southend Road Car Park, Hockley.
3. Back Lane Car Park, Rochford.
4. Pooles Lane Car Park, Hullbridge. (1346) (ACE)

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Health and Housing Services

584. EXCLUSION OF THE PUBLIC

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following item of business on the grounds that it involves the likely disclosure of Exempt Information as defined in paragraph 9 of Part I of Schedule 12A of the Act.

585 PUBLIC CONVENIENCES (Minute 66/91)

The Director of Development reported in confidence on the Cleaning Contract so as to enable the effectiveness of the earlier decision to increase the cleaning frequencies to be reviewed. Members expressed concern at the high incidence of vandalism that was being experienced but accepted that the problem could not be resolved by the Council acting alone and noted that discussions were taking place with Hockley Parish Council to enable the toilets opposite The Spa to be closed at night.

RECOMMENDED (1) That Contract No. 1476 be renegotiated on reduced cleaning frequencies.

(2) That the savings thereby achieved be used to improve Contract Monitoring and provide vandal-resistant fittings.

(3) That authority be delegated to the Director of Development to agree opening and closing times for public conveniences. (CON.1476)
(DD,SOL)

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ROCHFORD DISTRICT COUNCIL

HEALTH & HOUSING SERVICES COMMITTEE - 5TH NOVEMBER 1991

REPORT OF THE CHIEF ENVIRONMENTAL HEALTH OFFICER

THE ENVIRONMENT AGENCY - CONSULTATION PAPER

The Government has announced its intention to create a new, independent Environment Agency and has published a consultation paper setting out the proposals. A copy of the paper has been placed in the Member's Room and the Council has been invited to submit comments by 31st January 1992.

Background

The White Paper "This Common Inheritance" published last year proposed a number of steps to strengthen arrangements for environmental protection. The Government has now decided that the best way forward is to create a new regulatory agency to bring together the main control functions dealing with pollution of the air, land and water environments. This reflects the need to approach environmental pollution in an integrated and systematic way, to reduce the potential for conflict or overlap between the existing regulatory agencies, and to reduce the present need for extensive inter-agency consultation and liaison.

Present regulatory arrangements

Control of environmental pollution is currently divided between a number of agencies:

- (a) Department of the Environment (D.o.E) - overall control of environment protection policy, including international liaison, in particular with the European Community.
- (b) Her Majesty's Inspectorate of Pollution (H.M.I.P.) - an inspectorate within D.o.E., responsible for regulating about 5000 industrial processes which have the greatest potential for pollution. Discharges to air, land and water from these processes are controlled (known as "Integrated Pollution Control"). Also responsible for most aspects of radioactive waste disposal and for monitoring local authorities' waste regulation functions.
- (c) Drinking Water Inspectorate - a small inspectorate within D.o.E. responsible for advising Ministers on drinking water quality and for monitoring compliance of water suppliers with drinking water quality legislation.
- (d) National Rivers Authority (N.R.A.) - a "non-departmental public body" which is sponsored by D.o.E. and has a wide-ranging remit for improving the water environment. It controls most effluent discharges and has responsibility for flood defences, water resources management, fisheries, conservation, recreation and navigation.
- (e) Local Government - the upper tier authorities (i.e. Essex County Council etc.) regulate the movement of hazardous wastes and licence waste disposal facilities. District Councils have extensive environmental responsibilities including the control of air pollution from all processes which do not fall to H.M.I.P., statutory

nuisances, smoke control, litter and many other environmental health functions such as monitoring drinking water quality and control of noise nuisances.

The Government's Proposals

It is proposed that the key regulatory pollution control responsibilities of H.M.I.P., the N.R.A., the Drinking Water Inspectorate and the waste regulation functions of local authorities (County Councils) should be combined within a new, independent Environment Agency.

The precise functions of the new Agency will need detailed consideration, but its main responsibilities would include:

- applying standards for emissions, discharges and disposals to air, water and land.
- monitoring compliance and enforcement.
- regulating import, export and movement of waste.
- assessing national waste disposal needs.
- monitoring environmental conditions and commissioning research.
- acting as a consultee on environmental assessments and under Town and Country Planning procedures.
- providing guidance and advice on environmental standards to Government, industry and others.

Options

The consultation paper sets out a number of different options for combining functions of the existing agencies. The Government has invited comments on the best way in which this could be done, bearing in mind the overriding objective of achieving an integrated approach to pollution control. One option which is favourably considered by the Government envisages the enforcement functions of the NRA being separated from its other activities. The non-regulatory functions would be handled by a reconstituted NRA whilst the enforcement activities would be merged into the new Environment Agency.

Implications for Rochford

It is proposed that District Councils should retain their main environmental protection responsibilities including the operation of air pollution controls for industrial processes. It is disappointing that the Government has not taken the same approach to extending the "integrated pollution control" procedures to the processes controlled by local authorities, as they have to those controlled by H.M.I.P.

Although not part of this consultation paper, the Government proposes in Scotland to remove control of air pollution entirely from local authorities. Members may support the view that local pollution problems are best dealt with locally.

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Some new functions, such as enforcement of fly-tipping provisions, will be transferred to District Councils as part of their environmental health responsibilities. The Government also considers that there may be a role for District Councils in dealing with closed landfill sites.

The functions of local authorities are subject to any changes which may arise from the review by the proposed Local Government Commission.

Suggested response

Members may consider the following comments appropriate:

- (a) the Council supports the concept of a single agency which at national level would be able to co-ordinate policy and standards and to provide information on environmental protection issues.
- (b) the local conditions and the views of local communities need to be taken into account in many of the operational decisions that the proposed new agency would be taking (e.g. the granting of authorisations for processes giving rise to air pollution; the setting of river quality objectives). It is essential that any new agency has a truly local presence to facilitate a quick response to local problems and for effective liaison and collaboration with local authorities. The Council has already expressed concern that H.M.I.P offices in Chelmsford may close.
- (c) District Councils have a wealth of expertise and local knowledge in dealing with environmental pollution matters. Any new arrangements should build on and strengthen this responsible and accountable resource. Local authority air pollution controls should be extended to a full "integrated pollution control" procedure and the Council would not support any proposals to reduce its role in local pollution issues.
- (d) it is essential that adequate resources are provided for all agencies involved in environmental protection.

RECOMMENDED That the Council's response to the Environment Agency consultation paper be as set out in the report. (196)(CEHO)

HEALTH & HOUSING SERVICES COMMITTEE 5TH NOVEMBER 1991

REPORT OF THE DIRECTOR OF DEVELOPMENT

TENANTS IMPROVEMENTS - REIMBURSEMENT SCHEME

Introduction

The Council has achieved a great deal of success in its aims that all Council housing should enjoy the benefits of central heating and double glazing. Substantial progress has been made in achieving the target of central heating, with approximately 85% of the properties having the facility but there are still some 320 units without this benefit. Nearly 25% of the Council dwellings now having double glazing and the programme at its present level of funding is achieving a further 5% a year. There is however a steady level of requests from tenants for these improvements that at present the Officers are unable to meet due to the limitations of funds.

Options

There is concern about the Council's inability to help those tenants who would like improvements to properties. It is felt that offering a refund on approved improvements should the tenant leave the Council property would provide an additional incentive for the tenant to invest in their homes and reimbursement on a sliding scale (depending on the age of the installation) of costs of the improvement could be offered.

The Scheme

Subject to conditions detailed later in the report, the Council would reimburse a proportion of the cost of the installation of the improvement on a sliding scale commencing at 80% for a tenant vacating during the first year and decreasing by 20% per year. The scheme would not be retrospective and would be limited to the two most important improvements undertaken, i.e. central heating and double glazing.

Legislative Position

The Council is able to offer such payments under the terms of the Housing Act 1985 Sections 97-101. A number of other Councils have such schemes. Consultation has been carried out with the Tenants' Association and they were in favour of it in principle.

Conditions of the Scheme

- (a) The improvement must in each case have been approved by the Council prior to the installation and the installers' specification and estimate must be agreed in writing by the Council, before work commences.
- (b) The installation must have been properly maintained and where appropriate a maintenance agreement must have been entered into.
- (c) Tenants vacating and seeking reimbursement under the scheme must ensure that the system is in good working order and repair at the date of vacation and agree to an inspection by the Council.
- (d) Repayment by the Council will be based on the capital cost of the improvement and on a reducing scale for each complete year during which the tenant has had the benefit of the improvement. The scale of payment will be as follows:-

Tenant vacating during the year of installation

Proportion of the Capital cost to be repaid

First year	80%
Second year	60%
Third year	40%
Fourth year	20%
Fifth year and thereafter	Nil

(e) It will be the responsibility of the tenant to settle any loans or charges which may be outstanding in respect of the improvement. In no circumstances will the Council consider taking on outstanding loan repayments.

(f) No repayment will be made in the case of a mutual exchange or when the improvement has already been taken into account on a property valuation under the right to buy legislation.

(g) The tenant must comply with all conditions of the tenancy, including providing proper notice of vacation and will leave the premises in a reasonable condition on vacation.

(h) Subject to all the conditions having been complied with, the reimbursement payment will be made in accordance with the scale shown, and will be in the form of a lump sum cheque made payable to the tenant only.

(i) Applications for reimbursement on vacation of the premises should be made in writing to the Chief Housing Manager.

The Cost of the Scheme

As the proposals are not retrospective the expected take up of the scheme would not be great. The costs therefore are based on one repayment being made in the first year, three in the second year and five per year thereafter. Provision would be £2,000 in the first year, £4,000 second year and £5,000 per annum thereafter at current prices. This could be funded from the Housing Repairs budget.

Conclusion

This scheme will encourage tenants to invest in their homes, both for their own and the Council's future benefit. While the tenants are making that investment it will limit the demands on both capital and revenue costs to the Council.

Recommendation

That the tenants improvements - reimbursement scheme be introduced on 1st April 1992.

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ROCHFORD DISTRICT COUNCIL

HEALTH & HOUSING SERVICES COMMITTEE - 5TH NOVEMBER 1991

REPORT OF THE CHIEF ENVIRONMENTAL HEALTH OFFICER

CARAVAN SITE - "GREENACRES", PARK GARDENS, HAWKWELL (Minute 254/87)

Background

In 1987 the Development Services Committee considered a report on the unauthorised use of this land as a caravan site.

The law requires that before a caravan site licence can be granted, planning permission for use of the land must be obtained. As a result of negotiations with the site owner, a planning application has now been made and will be considered by the Planning Services Committee in the near future. This report considers the site licensing issues. A location plan is appended.

Caravan Site Licence

Site licence conditions are intended to control risks to public health and safety and to ensure reasonable standards and facilities. The Council is required to consult the Fire Authority concerning fire precautions and in applying licence conditions the Council must have regard to Model Standards issued by the Minister. Local circumstances and the particular arrangements of individual sites must also be taken into account.

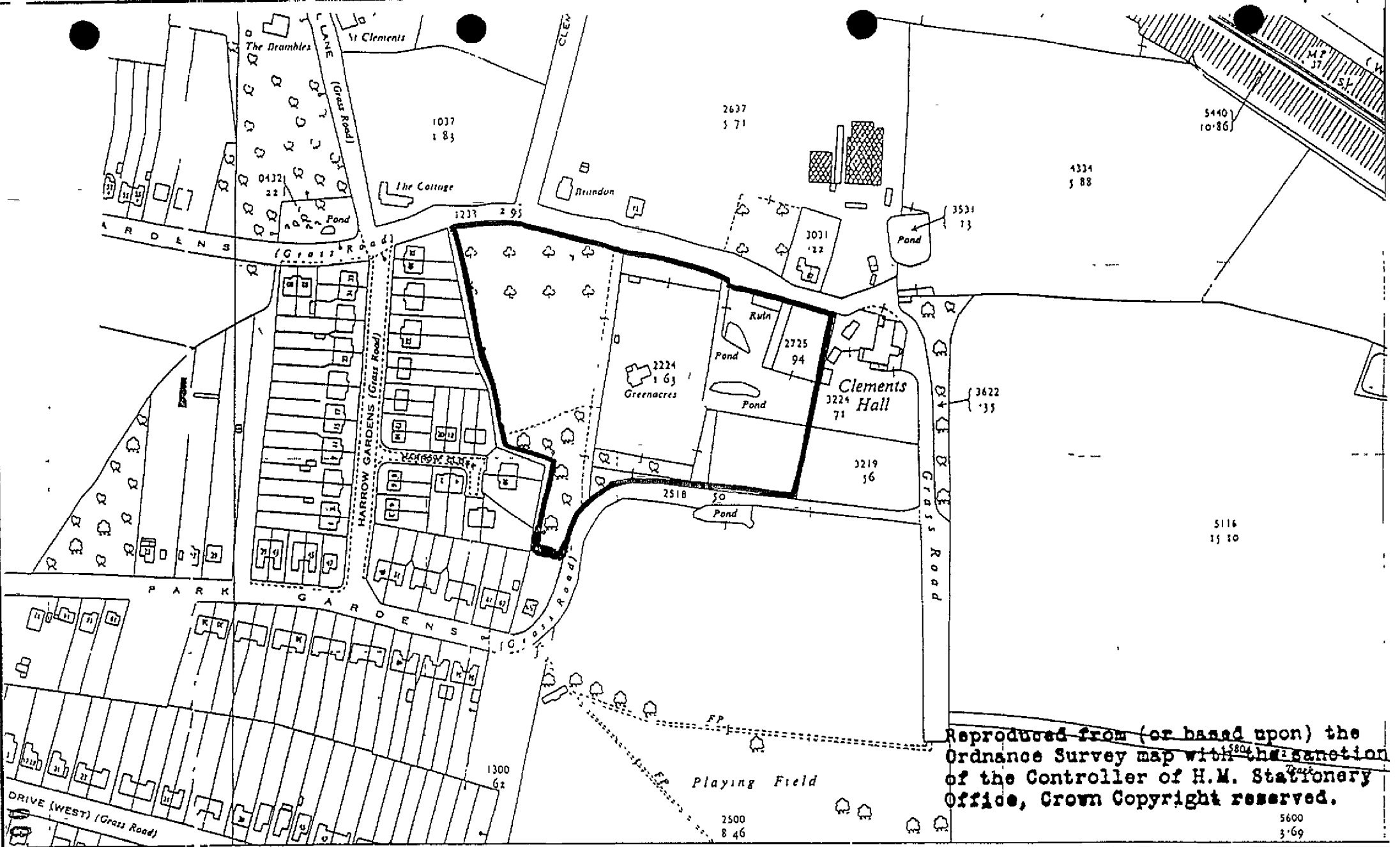
There is one permanent mobile home on the site which is occupied by the site owners' daughter and family and is provided with water, electricity and drainage. The remaining caravans are almost all of the small touring type and many move on and off the site throughout the year. A larger caravan is situated in a wooded part of the site and is occupied by a couple as their only residence. It has been in place for a number of years and does not have the access or services which would make it suitable for licensing as a permanent mobile home.

The site has been unlicensed and has operated in an unsatisfactory manner for many years. The main obstacles have been the need to regularise the complex planning situation and the inability of the present site owner to finance major improvements to services and facilities.

Subject to planning permission, the best way forward may be to issue a caravan site licence to enable the land to be used as a touring site during the period February - November inclusive each year. The facilities and services required for small touring caravan sites are significantly less than for permanent mobile homes parks or static holiday caravan sites.

* Appropriate licence conditions are appended.

RECOMMENDED That the Chief Environmental Health Officer be authorised to issue a caravan site licence in respect of land at "Greenacres", Park Gardens, Hawkwell, subject to any necessary planning permission and to the appended site licence conditions. (1339) (CEHO)



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GREENACRES, PARK GARDENS, HAWKWELL

CONDITIONS FOR PROPOSED CARAVAN SITE LICENCE

1. Density, Location and Occupation of Caravans

- 1.1 The total number of caravans stationed on the land at any one time shall not exceed 10 provided that where tent camping is also permitted the maximum number of caravans stationed on the site at any one time should be reduced by the number of pitches occupied by main tents stationed for human habitation.
- 1.2 No unit stationed on the land shall be positioned closer than six metres to any other unit in separate family accommodation and not less than three metres should be permitted between units in any circumstances.
- 1.3 Units stationed on the land shall only be used for occupation during the period from 1st February to 30th November in any year. At all other times no unit stationed on the land shall be occupied, otherwise than provided for under Condition 8.
- 1.4 Emergency vehicles shall be able to secure access at all times to within 90 metres of any unit on the site.

2. Display of Site Notices

- 2.1 At all times when units are stationed on the land for the purposes of human habitation a copy of this Licence, or such amended Licence as may be in force at the time, shall be displayed on the land in some conspicuous place.
- 2.2 A Notice shall be displayed prominently indicating where Police, Fire Brigade, Ambulance and local Doctors can be contacted, and the location of the nearest public telephone. If a telephone is provided on the site the full address of the site shall be displayed adjacent to it.
- 2.3 A sign indicating the name of the site shall be displayed at the site entrance at the junction of Park Gardens and the access road.

3. Fire Safety

- 3.1 The number and location of each fire point shall be in accordance with the recommendation of the Fire Authority. No unit shall be more than 90 metres from a fire point. Each fire point shall include such equipment as may be recommended by the Fire Authority and be in accordance with model standards.
- 3.2 Each fire point shall be easily accessible and conspicuously marked "FIRE POINT".
- 3.3 A means of raising the alarm in the event of fire shall be provided at each fire point.
- 3.4 All alarms and fire fighting equipment shall be maintained in good working order

3.5 All equipment susceptible to damage by frost shall be suitably protected.

3.6 A clear and conspicuous notice shall be provided and maintained at each fire point. The notice shall include the following information:-

"On discovering a fire:

(a) Ensure the unit or site building involved is evacuated.

(b) Raise the alarm.

(c) Call the Fire Brigade (the nearest telephone is sited).

(d) Attack the fire using the fire fighting equipment provided."

3.7 Where provision has been made for the storage of liquified petroleum gas it shall be in accordance with the Health and Safety Executive guidance notes, for the time being in force.

3.8 Long grass and vegetation shall be cut at frequent and regular intervals to prevent it becoming a fire hazard, and any cuttings shall be removed from the vicinity of the units.

3.9 The boundary of the site should be clearly marked by fences or hedges and no unit shall be stationed within 3 metres of the boundary.

3.10 The access road shall be clearly defined and all encroaching vegetation shall be kept trimmed back 1 metre on either side.

4. Water Supplies

4.1 The site shall be provided with a water supply complying with appropriate British Standards.

4.2 Water stand pipes with an adequate supply of water shall be provided not more than 90 metres from any unit and shall be maintained to the satisfaction of the Council. At each supply of water there shall be a soakaway or gully.

5. Drainage, Sanitary and Washing Facilities

5.1 Use of the site shall be confined to units with their own chemical closets.

5.2 At least one chemical closet disposal point shall be provided. A supply of water for cleaning of containers shall be provided adjacent to each point and must be marked "not for drinking water".

5.3 Waste water disposal points shall be provided so that no unit is more than 90 metres away.

6. Refuse Disposal

6.1 Adequate provision shall be made for the storage of refuse awaiting collection to the satisfaction of the Council.

6.2 Arrangements shall be made for refuse to be removed from the site at regular intervals, as and when necessary.

S. J. L.

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7. Electrical Installations

- 7.1 Such electrical installations which are not Electricity Board works and circuits subject to regulations made by the Secretary of State under the Energy Act 1983, Section 16, and the Electricity Act 1947, Section 64, shall be installed, tested and maintained in accordance with the provisions of the Institution of Electrical Engineers (IEE), Regulations for Electrical Installations (the IEE Wiring Regulations) for the time being in force, and where appropriate to the standard which would be acceptable for the purposes of the Electricity Supply Regulations 1988, Statutory Instrument 1988 No. 1057.
- 7.2 Work on electrical installations and appliances shall only be carried out by a competent person who shall be one of the following:-
- The Manufacturer's appointed agent
 - The electricity supplier
 - A member of the Electrical Contractor's Association
 - A contractor approved by the National Inspection Council for Electrical Installation Contracting
 - A qualified person acting on behalf of one of these.
- 7.3 The electrical installation shall be inspected not less than once in every 12 months (or such longer period not exceeding 3 years as the person carrying out the inspection may specify) by a competent person as specified in 7.2 above. The installation shall be judged against the standards in the current IEE Wiring Regulations and within 1 month of such inspection the site operator shall obtain from the competent person an inspection certificate in the form prescribed by the IEE Wiring Regulations which shall be displayed with the site licence and supplemented or replaced by subsequent certificates, as necessary. The cost of inspections and reports shall be met by the site operator or licence holder.
- 7.4 Any deficiency in an installation shown by inspection to no longer comply with the regulations in force at the time it was first installed, shall be remedied.
- 7.5 Major alterations and extensions to an installation and all parts of the existing installation affected by them, shall comply with the latest version of the IEE Wiring Regulations.
- 7.6 Where there are overhead electric lines on the site, suitable warning notices shall be displayed at the entrance to the site and on the supports for the line.

8. Permanent Residential Mobile Home

- 8.1 The occupation of one caravan stationed on the land may extend to the period 1st December in any year to 31st January in the following year.
- 8.2 Water to the caravan shall be obtained from the main supply on the site and shall be maintained to the satisfaction of the Council.
- 8.3 The caravan shall be provided with suitable and satisfactory means for the disposal of soil and waste water which shall be maintained to the satisfaction of the Council.
- 8.4 Adequate provision shall be made for the disposal of refuse from the caravan.

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CHAIRMAN S. J. Lema

DATE: 4-2-92

ROCHFORD DISTRICT COUNCIL

Minutes of the Development Services Committee

At a Meeting held on 7th November 1991. Present: Councillors S.A. Skinner (Chairman), R.S. Allen, P.A. Beckers, B.A. Crick, T. Fawell, D.F. Flack, G. Fox, Mrs. H.L.A. Glynn, Mrs. E.M. Hart, Mrs. J. Helson, G.C.A. Jones, R.A. Pearson, T.A. Powell, A. Stephens, S.R. Tellis, R.E. Vingoe and Mrs. L. Walker.

Apologies: Councillor M.J. Handford.

Visiting: Councillor Miss B.G.J. Lovett.

586. MINUTES

Resolved that the Minutes of the Meeting of 10th October 1991 be approved as a correct record and signed by the Chairman subject to it being noted under Minute 56 of the Meeting of the Hackney Carriage Panel held on 2nd October 1991 that Councillor Mrs. M.W. Stevenson had declared a non-pecuniary interest by virtue of membership of the Rayleigh Chamber of Trade.

587. MONITORING OF PERFORMANCE - MEETINGS OF 21ST MARCH AND 9TH JULY 1991

The Committee were satisfied that all necessary action had been taken. Minutes 200(i)/90 (SOL), 658/90 (SOL), 665/90 (DD), 181/91 (SOL), 377/91 (DD) and 380/91 (SOL) were carried forward.

588. BUS SERVICES

NOTE: Councillor G. Fox declared a pecuniary interest by virtue of employment and remained in the Meeting for discussion of the general subject of rural bus services but left the Meeting during consideration of proposals relating to services 10 and 12.

(i) Rural Areas (Minutes 90 and 129/91)

The Chairman welcomed Mr. A. Gipson from the Public Transport Co-ordination Branch of the County Council who had been invited to attend the Meeting to speak on this subject. He advised Members of the criteria relating to the provision of rural bus services, and that the majority of routes were funded by the County Council. Innovative transport methods such as the provision of a social car service by local organisations and the facility for shared taxi schemes were more demand-responsive. The overall response to the latter had been very limited, possibly due to an in-built caution against sharing taxis. Following publication of the document 'Making People Mobile' consideration was currently being given to the requirement for special needs transport of which Dial-a-Ride was an example.

Mr. Gipson then answered questions from Members relating to -

the definition of a village centre in determining bus routing
the problem of serving caravan sites in isolated locations
the difficulties including cost of operating a post-bus service
the potential for extending the shared taxi service within the District



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Development Services

the desirability of encouraging taxi conversions for wheelchairs
the capacity for expanding the Dial-a-Ride service to include use by the
able-bodied
the possibility of issuing more comprehensive timetables.

In response to a request from a Member the Director of Development undertook to provide a copy of the County's policies relating to rural bus services.

(ii) Services 10 and 12 - Paglesham/Canewdon/Rochford

Mr. Gipson advised Members that in anticipation of the contract renewal process in January, County were consulting on the following proposals:-

- (i) For all Service 10 journeys from Monday to Saturday, excepting the early morning weekday journey from Paglesham, to be replaced by a shared taxi service for a six month trial period.
- (ii) For the two late weekday journeys from Rochford Station to Canewdon on Service 12 to be withdrawn.
- (iii) For the special school journey to Stambridge Primary School at 0852 on Service 12 to be replaced by a taxi service.

Members stressed the need for adequate local publicity to be given to these proposed changes and for a contact point to be identified for use by residents without telephones, and the Committee asked for those comments to be noted by the County representative. (TP42A)(DD)

589 SOUTH EAST ESSEX TRAFFIC STUDY (Minute 525/91)

Members had laid before them the report of the Director of Development from which they noted the recommendations adopted by the Special Meeting of the County Highways and Environment Committees held earlier that day to consider the outcome of the above study and the proposed course of action arising therefrom. (TP112) (DD)

590. LAND AT DOGGETTS CLOSE, ROCHFORD (Minute 196/91)

The Solicitor reported on the need to extinguish the highway rights over the redundant hammerhead at the end of Doggetts Close and the means by which that could be achieved.

RECOMMENDED (1) That pursuant to paragraph 4 of the Town & Country Planning General Regulations 1976 permission be sought for the change of use of the redundant hammerhead to the west of Doggetts Close from highway to garden land and public open space.

(2) That subject thereto the Solicitor be authorised to transfer those areas of land immediately fronting Nos. 55 and 56 Doggetts Close, Rochford into the curtilage of the respective properties on such terms and conditions as the Solicitor thinks fit. (885) (SOL)

Development Services

591. CONTRACT NO. 1620 - HULLBRIDGE FORESHORE DESIGN AND SUPERVISION CONSULTANCY (Minute 518/89)

The Director of Development reported on the formulation of engineering options to arrest the erosion of the river frontage at Hullbridge acquired by the Council.

RECOMMENDED That pursuant to Paragraph 4 of the Town & Country Planning General Regulations 1976 permission be sought for the necessary engineering works to be carried out to the proposed public open space river frontage at the Hullbridge foreshore. (292) (DD)

592. 118 HIGH STREET, GREAT WAKERING - GRANT OF NEW LEASE

The Solicitor reported that the current Lease of the above premises to the County Council for use as a public library was due for renewal.

RECOMMENDED That the Solicitor be authorised to complete a new Lease on 118 High Street, Great Wakering for use as a public library and on such other terms and conditions as the Solicitor thinks fit (28539) (SOL)

593. SOUTHEND-ON-SEA BOROUGH LOCAL PLAN (Minute 389/91)

The Director of Development reported on the response which had been received to this Council's objections to the above Plan. Members expressed concern at the nature of that response and that discussions with Southend had failed materially to resolve those objections but noted that a further report would be made in the light of the modifications to the Plan to be published in the New Year prior to the Public Inquiry in March. (TP25A) (DD)

594. MINERALS SUBJECT PLAN (Minute 385/91)

The Director of Development reported that the County Planner did not see it as appropriate to accede to this Authority's request for the inclusion in Policy T3 of reference to the use of water-borne transport wherever possible as opposed to roads particularly as regards the site at Barling. The Committee noted however that there were relevant Policies in the Approved Essex Structure Plan, namely Policies NR26 and T17. They accordingly concurred with the suggestion of a Member that in noting the County Planner's response with regret this Council should also comment favourably on those existing Policies which underlined their view.

RECOMMENDED That the County Planner be advised accordingly. (TP19) (DD)

595. HIGHWAYS ACT 1980 - SECTION 119 (Minute 660/90)

The Committee accepted that consideration of the proposed diversion of Footpaths 3, 5, 31, 33 and 34 Barling Magna should be further deferred pending determination by County of the application in respect of Barling Quarry which could involve the construction of a haul road across the area in question.

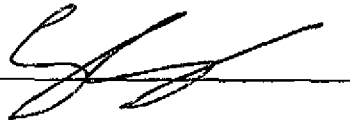


Development Services

A Member expressed concern that Barling Parish Council had not yet been consulted on the proposed diversion and the Solicitor having outlined the current procedure it was

- P **RECOMMENDED** That provision be made for Parish Councils to be included at the statutory consultation stage where it is proposed to divert or close a footpath. (46) (SOL)

CHAIRMAN.



DATE.

13/2/92

ROCHFORD DISTRICT COUNCIL

Minutes of the Planning Services Committee

At a Meeting held on 14th November 1991. Present: Councillors R.E. Vingoe (Chairman), R.S Allen, R.A. Amner, Mrs. V.J. Arnold, P.A. Beckers, C.I. Black, R.H. Boyd, M.G. Brown, T. Fawall, D.F. Flack, G Fox, Mrs. J.M. Giles, Mrs. H.L.A. Glynn, Mrs. E.M. Hart, D.R. Helson, Mrs. J. Helson, Mrs. A.R. Hutchings, S.N. Jarvis, G.C.A. Jones, Mrs. S.J. Lemon, Miss B.G.J. Lovett, Mrs. E. Marlow, C.R. Morgan, R.A. Pearson, T.A. Powell, J.M. Roden, S.A. Skinner, A. Stephens, Mrs M W. Stevenson, S.R. Tellis, Mrs. L. Walker and D.A. Weir.

Apologies: Councillors Mrs. J.A. Christie, B.A. Crick, Mrs. J. Fawell, M.J. Handford and Mrs. M. Hunnable.

596. MINUTES

Resolved that the Minutes of the Meeting of 17th October 1991 be approved as a correct record and signed by the Chairman.

597. MONITORING OF PERFORMANCE - MEETINGS OF 25TH APRIL, 16TH MAY, 6TH JUNE, 25TH JULY, 5TH AND 26TH SEPTEMBER 1991

The Committee were satisfied that all necessary action had been taken. Minutes 133/90 Para. D.4 (SOL), 459/90 Para. D.4 (SOL), 508/90 Para D 4 (SOL), 428/91 Paras. D.2 and D.3 (SOL), 441/91 Paras. 7,9,14 and 19 (SOL) and 470/91 Paras. 6,7 and 15 (SOL) were carried forward.

598. DISTRICT PLAN WORKING PARTY (Minute 527(C)/91)

The Committee noted the report of the Chief Executive (Designate) that the following matters had been considered at the last Meeting of the District Plan Working Party and endorsed by the parent Committee and Council.

(i) Notice of Motion (Minute 328/91)

A Motion to introduce a new standard planning condition to apply to all applications for planning consent so as to prohibit any construction work on a Sunday had not been approved but the Working Party had suggested instead that such a condition could be imposed in appropriate cases

(ii) Use of Relocatable Classrooms (Minute 428/91 Para 4)

Following a request from this Committee to determine a policy on the general question of use of relocatable classrooms the Working Party had advised that the present practice of making detailed comments to the County Council on the planning merits of each proposal should be continued but that additional comments be forwarded in cases where there was concern regarding the condition of the buildings.

599. USE OF VIDEOS (Minute 559/91)

The Director of Development reported that the Policy & Resources Committee had asked that arrangements be made, for a trial period of 6 months, to produce a video presentation to complement the existing arrangements for Members' site visits, the preferred choice in each case to be at the discretion of the Planning Services Committee.

001388

Planning Services Committee

Resolved that the arrangements be reviewed after a trial period of 6 months. (30579) (DD)

600. PLANNING AGREEMENTS (Minute 237/91 Para. 10)

The Committee noted the report of the Solicitor on the provisions under Section 106 of the Town and Country Planning Act for Legal Agreements and the implications therefor of the Planning and Compensation Act 1991.

601. PLANNING ENFORCEMENT PROCEDURES (Minute 554(C)/91)

Members had before them a copy of the Minute of the Performance Review Panel relating to planning enforcement procedures and noted the recommendations contained therein which had been adopted by the parent Committee and Council.

602. SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS

The Director of Development submitted a Schedule for consideration and a list of planning applications and Building Regulation applications decided under delegation.

Resolved that decisions be made in accordance with the recommendations in the appended Schedule subject to:-

Para. R2 - F/0599/91/ROC

Amend Condition 3 by the addition of the following sentence:

"Furthermore, the skip shall be sited in the position marked on the submitted plan so that it is clear of the kerb line on the north side of West Street or in an alternative position as may be first agreed in writing by the Local Planning Authority".

Para. R3 - OL/0611/91/ROC

The Committee concurred with the suggestion of a Member that consideration of this application be deferred to endeavour to achieve a scheme which complied with the recently adopted policy of 1 metre separation between dwellings.

Para 4 - CU/0556/91/ROC

Application refused for the following reason:-

The Local Planning Authority consider the proposed use involving the handling and working of sheet metal in close proximity to the residential properties to the west could not fail to affect the amenities presently enjoyed by the existing occupiers by reason of noise, nuisance and pollution in general.

Para. 5 - CU/0612/91/ROC

Consideration of this application was deferred to enable a site visit to be arranged.

001389

Planning Services Committee

Resolved that arrangements be made accordingly. (CE(D), DD)

Para. 6 - F/0399/91/ROC

Conditions 7 and 9 to be amended by substituting therein "Condition 5" for "Condition 4".

The Committee asked the Director of Development to ensure that all worthy tree specimens on this site were protected by Tree Preservation Orders.

Resolved that arrangements be made accordingly. (DD)

Para. 7 - F/0575/91/ROC

NOTE: Councillors Mrs. J. M. Giles and Mrs. J. Helson declared a non-pecuniary interest in this item by virtue of involvement with other playgroups but remained in the Meeting and participated in the discussion and voting thereon.

Amend Condition 2 by substituting "1994" for "1992".

Para. 8 - F/0625/91/ROC

NOTE: Councillor Mrs. V.J. Arnold declared a non-pecuniary interest in this item by virtue of membership of the Board of SEETEC but remained in the Meeting and participated in the discussion and voting thereon.

Authority delegated to the Director of Development to approve on the basis of the revised plans once the Badgers Mount Residents Association had been so advised.

Para. 10 - F/0663/91/ROC

Application withdrawn

Para. 11 - F/0673/91/ROC

Consideration of this application was deferred to enable a site visit to be arranged in association with that requested earlier.

Resolved that arrangements be made accordingly. (CE(D), DD)

Para 12 - F/0676/91/ROC

Application refused for the following reasons.-

The Rochford District Local Plan shows the site to be within the Metropolitan Green Belt and the proposal is considered to be contrary to Policy GB1 of the Local Plan and to Policy S9 of the Essex Structure Plan. Within the Green Belt as defined in these policies planning permission will not be given, except in very special circumstances, for the construction of new buildings or for the change of use or extension of existing buildings (other than reasonable extensions to existing buildings as defined in Policies GB2 and GB6 of the Local Plan). Any development which is permitted shall be of a scale, design and siting so that the appearance of the countryside is not impaired.

001390

BU

Planning Services Committee

The proposed structure is considered to be excessive in size and scale and if permitted would have a substantial and adverse impact on the appearance and character of the surrounding countryside contrary to the above policies.

The proposed structure is sited in a prominent roadside position in attractive open countryside and would be visually intrusive and detrimental to the appearance of the area.

The proposed development, if allowed, would create an undesirable precedent for similar developments elsewhere in the locality.

603. BARLING WHARF, BARLING - CU/0549/91/ROC

The Chief Executive (Designate) reported on the above application, consideration of which had been deferred by the County Council pending a site visit in which this Council were being invited to participate and it was

Resolved that the Ward Member and a representative from each Group be appointed for that purpose. (CE(D))

604. CONSULTATION FROM ESSEX COUNTY COUNCIL ON APPLICATION CC/SOS/32/91 FOR PROPOSED GIPSY SITE AT EASTWOODBURY LANE, EASTWOOD, SOUTHEND-ON-SEA (Minute 505/89)

The Director of Development reported that this Council had been consulted by the County Council on the above application relating to a County Council owned site within the Borough of Southend-on-Sea, on the size and location involved and that in 1986 County had identified it as being suitable for a gipsy site to serve both Southend and Rochford. That view had been supported throughout by this Council but Southend Borough Council had raised objections notwithstanding which the Secretary of State had decided in favour of the site in 1989 and had directed that any application for planning permission for this site should be submitted to him, in order that a Public Local Inquiry could be held.

Having noted details of the scheme, that it was compatible with plans for the B1013 relief route and would comply with the requirements of the Civil Aviation Authority it was

Resolved that the County Council be informed:-

- (i) that this Authority raise no objections in principle to the proposed development, subject to conditions concerning landscaping, screening, access, parking, refuse storage, floodlighting and limits on the areas for the siting of caravans.
- (ii) that this Authority consider, in the interests of safety, it would be premature to implement this proposal in advance of the highways improvements shown on the submitted plans. (17729) (DD)

Planning Services Committee

605. REQUEST TO VARY THE TERMS OF A LEGAL AGREEMENT TO ALLOW THE SUB-DIVISION OF THE PLANNING UNIT - SCRAP AND EQUIPMENT PROCESSING, OPEN STORAGE OF METALS AT RAWRETH INDUSTRIAL ESTATE (SOUTH EAST), RAWRETH LANE, RAWRETH

The Director of Development and Solicitor reported jointly on a request for the terms of an earlier Legal Agreement relating to ROC/435/84 and ROC/436/84 to be varied so as to permit sub-division of the latter planning unit. Members noted that the use of the major element of the site would continue to be consistent with the 1984 permission and considered that release of the balance would be acceptable subject to the following two provisos:-

- (i) The revocation without compensation of planning permission ROC/436/84 for scrap and equipment processing and open storage of metals in respect of this part of the overall site.
- (ii) Planning permission (where necessary) being first sought and obtained prior to any new use or development taking place on the land.

Resolved that subject to the foregoing provisos the Legal Agreement be varied to allow the sub-division of the planning unit the subject of ROC/436/84. (13300) (SOL)

606. F/0547/91/ROC - DEMOLISH EXISTING HALL AND ERECT NEW HALL AND CAR PARK ON EXTENDED SITE - VARIATION OF PLANNING CONDITION NO. 13 (WEEKLY LIST NO. 81)

The Director of Development reminded Members why the above application had been approved subject to a condition that existing buildings on the site should be removed prior to the commencement of the new hall and of the basis on which the applicants had requested a variation of that condition in the light of which it was

Resolved that Condition 13 of planning permission F/0547/91/ROC be varied to read:-

"The existing buildings on the site shall be removed within a period of 3 months following the completion and use of the new hall commencing unless previously agreed in writing by the Local Planning Authority."
(DD)

607. BREACH OF PLANNING CONTROL AT 25 KINGS ROAD, RAYLEIGH

The Director of Development reported that commercial car repairs/spraying were taking place on the driveway of the above residential dwelling without the benefit of planning permission, which activities were having a severe adverse effect by virtue of noise, vibration and smell upon the amenity of the adjoining neighbourhood dwellings and were wholly unacceptable within a residential area. It was accordingly

Resolved that the Solicitor be authorised to take all necessary action including the issue and service of Notices and action in the Courts to secure the remedying of the breach of planning control now reported.
(7888) (SOL)

Planning Services Committee

608. USE OF LAND AS A TRANSPORT DEPOT, UNIT 12, RAWRETH INDUSTRIAL ESTATE, RAYLEIGH (Minute 217/91 Para. 14)

The Director of Development reminded Members of the reasons why planning application F/0164/91/ROC had been refused planning permission in April 1991, that consideration of enforcement action had been deferred at that time and that an appeal had recently been lodged. The County Surveyor had subsequently advised that having re-appraised the operation of the site from a traffic point of view in accordance with Minute 240/91 he would be unable to assist the Council with any justification for refusal on highway grounds. Given the planning history of the site and adjoining area, the relatively modest level of activity envisaged and the absence of highway objections from the County Surveyor, it was not considered expedient to pursue enforcement action in this case.

Members noted that the applicants were unwilling to accept a temporary permission to cease at a date corresponding with the release of the post-1995 development land to the south and east. The Committee were advised that the predominant activity would be overnight parking for the company's vehicles and storage of empty waste bins, that day-time activity would be minimal and that would take place away from the site. The concerns which had been expressed earlier could be overcome by conditioning planning approval so as to control the number of vehicles, hours and nature of use, and to require landscaping. Having considered the various points made on behalf of the applicant company and that they wished to resolve the position if possible by negotiation it was

Resolved that the applicant be advised that the Council would favourably consider a re-submission of the above-mentioned refused application and that they be invited to submit a duplicate planning application to F/0164/91/ROC. (DD)

609. BREACH OF ADVERTISEMENT CONTROL AT 61/65 EASTWOOD ROAD, RAYLEIGH (Minute 309/91)

Following authorisation of enforcement action to secure the removal of the five unauthorised advertisement hoardings at the above location the Solicitor reported that the exposure of the site to public view would be detrimental to the visual amenity of the area and that advertisement hoardings which enclosed a site upon which building operations had commenced, in accordance with a grant of planning permission, were deemed to have planning consent.

An application for the retention of the five hoardings had been refused but the advertising company now indicated that it would be willing to submit a revised application for only three of the existing hoardings in association with a scheme for the boundary of the site, the details of which were noted although it was considered that a smaller number of hoardings would be preferable.

Resolved that the Solicitor be authorised to proceed with enforcement action to secure the removal of the unauthorised hoardings and to take all necessary action including the issue and service of Notices and action in the Courts under Section 215 of the Town and Country Planning Act 1990 in respect of any injury to the amenity of the area caused by the condition of the site. (14118) (SOL)

Planning Services Committee

610 EXCLUSION OF THE PUBLIC

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following two items of business on the grounds that they involve the likely disclosure of Exempt Information as defined in paragraphs 7 and 12 of Part I of Schedule 12A of the Act.

611 NON-COMPLIANCE WITH ENFORCEMENT NOTICES - 1 GOLDSMITH DRIVE, RAYLEIGH (Minute 431/89)

The Solicitor reported in confidence that enforcement action against various breaches of planning control at the above property had been protracted by virtue of its re-possession, on the possibility of the necessary demolition works being carried out by the mortgagor in the near future and on the alternative courses available to the Council if that did not materialise.

Resolved (1) that the Solicitor be authorised to make such arrangements and enter into such contracts as may be necessary to enable the Council to carry out the demolition works required in order to secure compliance with the enforcement notices relating to the breaches of planning control occurring at 1, Goldsmith Drive in the event that the mortgagors in possession have not commenced the work by 20th November 1991.

(2) that in such event legal proceedings be authorised to recover any money incurred in respect of those demolition works. (22125)(SOL)

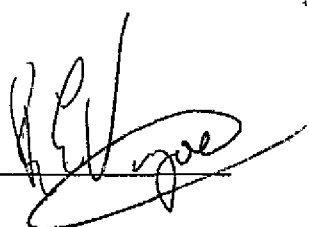
612. LUBBARDS LODGE FARM, HULLBRIDGE ROAD, RAYLEIGH (Minute 397/91)

The Solicitor reported in confidence that the extended period for compliance with the Enforcement Notices in respect of the outstanding breaches on this site would expire shortly and having considered submissions by two of the remaining seven businesses regarding their present situation it was

Resolved that the earlier decision of this Committee to institute court proceedings on the expiry of the extended period for compliance be re-affirmed. (6466) (SOL)

613 F/0468/91/ROC - ERECTION OF 3 CHALETs AND 1 BUNGALOW WITH DETACHED GARAGE ON LAND TO THE WEST OF MOAT FARM, LONDON ROAD, RAWRETH (Minute 441/91 Para. 9)

With the consent of the Chairman pursuant to Standing Order 26.2 the Director of Development reported verbally that the above application had been advertised in accordance with the departure procedure and there having been no objections permission had been granted under delegated authority.

CHAIRMAN: 

DATE: 12th Dec 91

001394

SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY

PLANNING SERVICES COMMITTEE 14TH NOVEMBER 1991

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and local plans issued or made thereunder. In addition, account is taken of any guidance notes, advice and relevant policies issued by statutory authorities.

Each planning application included in this Schedule and any attached list of applications which have been determined under powers delegated to the Director of Development is filed with all papers including representations received and consultation replies as a single case file.

All building regulation applications are considered against the background of the relevant building regulations and approved documents, the Building Act, 1984, together with all relevant British Standards.

The above documents can be made available for inspection as Committee background papers at the office of the Director of Development, Acacia House, East Street, Rochford.

REV.

PLANNING SERVICES COMMITTEE 14TH NOVEMBER 1991

SCHEDULE ITEMS

- D.1 F/0459/91/ROC MW
RETENTION OF EXISTING BARN FOR AGRICULTURAL
PURPOSES
BALDWINS FARM LITTLE WAKERING ROAD LITTLE WAKERING

REFERRED ITEMS

- R.2 F/0599/91/ROC TF
CONTINUE EXISTING PERMISSION TO HOLD OPEN MARKET
ON TUESDAY OF EACH WEEK
MARKET SQUARE WEST STREET ROCHFORD
- R.3 OL/0611/91/ROC GJ
OUTLINE APPLICATION TO ERECT FIVE DETACHED HOUSES
AND A DETACHED CHALET WITH GARAGES AND PRIVAGE DRIVE
44 HAWKWELL PARK DRIVE HAWKWELL

4. CU/0556/91/ROC JW
CHANGE USE OF JOINERY WORKS TO MANUFACTURE OF SHEET
METAL PRODUCTS
UNITS 13-14 ELDON WAY HOCKLEY
5. CU/0612/91/ROC NACB
CHANGE USE TO AGRICULTURAL RECREATIONAL FARM PARK
AND RETENTION OF EXISTING MOBILE HOME(S)
LAND BET KINGSWAY & BURLINGTON GARDENS HULLBRIDGE
6. F/0399/91/ROC JAW
RETENTION OF USE OF LAND FOR RECREATIONAL
CARAVANING AND CAMPING, STORAGE OF TOURING CARAVANS
AND SITING OF ONE MOBILE HOME
GREEN ACRES PARK GARDENS HAWKWELL
7. F/0575/91/ROC JW
CONTINUE USE AS A NURSERY SCHOOL
RAINBOW NURSERY SCHOOL 40 EASTWOOD ROAD RAYLEIGH
8. F/0625/91/ROC JAW
REMOVE PORTAKABIN EXTEND BUILDING AT REAR ON GROUND
FLOOR, UTILISING PITCHED ROOF SPACE OVER - TO FORM
LINK, WC'S, OFFICES AND TRAINING ROOMS.
SEETEC CENTRE MAIN ROAD HOCKLEY
9. F/0629/91/ROC HL
VARIATION OF CONDITION 3 OF ROC/700/84 TO EXTEND
OPENING HOURS ON FRIDAYS & SATURDAYS ONLY BY 1 HR
FROM 11.30PM TO 12.30 AM AND ON SUNDAYS BETWEEN
5.00PM - 11.00PM
26 HIGH STREET RAYLEIGH



10. F/0663/91/ROC LG
NEW WORKSHOP BUILDING
UNIT 1 RAWRETH IND ESTATE RAWRETH LANE RAYLEIGH
11. F/0673/91/ROC NACB
VARIATION OF CONDITIONS TO USE 14 CARAVANS FOR
PERMANENT RESIDENTIAL USE
HALCYON CARAVAN PARK POOLES LANE HULLBRIDGE
12. F/0676/91/ROC NACB
ERECTION OF GARAGE AND SWIMMING POOL ENCLOSURE
FAIRFIELDS LOWER ROAD HULLBRIDGE
13. RM/0632/91/ROC LG
DETAILS OF TWO SEMI-DETACHED HOUSES & GARAGES
23A HIGHAMS ROAD HOCKLEY
14. RM/0640/91/ROC JW
ERECT CHALET/BUNGALOW AND HOUSE AND GARAGES
(DETAILS)
6 SOUTHEND ROAD HOCKLEY

PLANNING SERVICES COMMITTEE

14TH NOVEMBER 1991

DEFERRED ITEM

D.1

F/0459/91/ROC PARISH OF BARLING MAGNA

BALDWINS FARM LITTLE WAKERING ROAD LITTLE WAKERING

RETENTION OF EXISTING BARN FOR AGRICULTURAL PURPOSES

Applicant: MR A S HARDY

Zoning: M.G.B.

BARLING MAGNA PARISH COUNCIL - objects to the building on the basis that need for it has not been demonstrated.

DEFERRED REPORT:

Members will recall that this application was deferred from the last meeting pending the inclusion of some additional information.

This site consists of 45 acres of farmland now under cultivation for hay cropping and the barn the subject of this application although previously erected without agricultural justification is now in use for the secure storage of hay cropping equipment. Absence of agricultural activity on the land prior to this growing year and its use for activities associated with a local gun club led to enforcement action by the council to secure its removal.

The appeal against this action was dismissed and the owner was required to remove the barn. To that end prior to receipt of this latest application court action had been commenced by the council with a view to securing its eventual removal. In the absence of any evidence at the appeal of a genuine agricultural use of the surrounding land that may have justified its construction under the Permitted Development provisions of the G.D.O. the building was considered to fall within the scope of normal planning control. The Inspector concluded that it was out of character with the area and represented an encroachment of the countryside by inappropriate development.

A hay crop of 2800 bales of hay was cut this spring by a contractor engaged by the applicant and the hay that remained unsold was stored offsite. The options for the applicant according to agricultural advice received could in the near future involve the alternatives of cattle grazing after cropping each year or production of a second crop of hay. This has the potential to represent an introduction of agricultural activity on the holding since the building first constituted an unjustifiable breach of planning control. At that time only a few dozen bales of hay were produced on only one occasion on only a small area of the holding that immediately adjoins the building.

The current situation has been assessed by M.A.F.F. who are of the opinion that "the barn is of suitable size and construction for a machinery and general purpose store".....Their inspection revealed a tractor, trailer, hay cutter, and a hay turner and they considered that "the building was secure and perfectly adequate for the storage of farm machinery and for other general purpose storage." They concluded that it was not suitable for hay storage which would require an open sided Dutch barn.

Whilst there is nevertheless little room remaining inside the building for any other activity whilst the hay cropping machinery is there, i.e. for hay storage, its regular unauthorised use in conjunction with clay pigeon shooting on the land cannot be precluded as the machinery which has apparently not been used for cropping would nevertheless be needed only once a year and could easily be removed during times of unauthorised use.

The barn was erected without the benefit of Permitted Development provisions for agriculture and requires express planning permission as a more genuine agricultural use of the holding did not commence until this year. It is clear that the justification for its retention even under these circumstances is tenuous particularly as the "support" that MAFF have given the barn is not conclusive as to establishing a constant, predominant and substantial agricultural need for this building. On this basis it would be inappropriate to grant planning permission.

No LETTERS OF REPRESENTATION have been received.

M.A.F.F. consider that the barn is appropriate for the machinery being stored on the farm.

CONSUMER AND PUBLIC PROTECTION (E.C.C.) - raises concern over the potential for methane migration.

A.W.A. - no comment.

COUNTY SURVEYOR - no comment.

CHIEF ENVIRONMENTAL HEALTH OFFICER - no comment.

N.R.A. - no comment.

REFUSE

01 STANDARD GREEN BELT REASON RFR9 (and add)

The barn the subject of this application has not been demonstrated to be both requisite and essential for the purposes of agriculture on the land that would otherwise justify its retention in the context of the specific restrictions that apply to development in the Green Belt.

02 NON-STANDARD REFUSAL

The siting of this building of utilitarian appearance in this location without exceptional justification constitutes an intrusive feature in the open countryside damaging to visual amenity being exposed to unrestricted views from a riverbank public footpath and represents encroachment of the Green Belt thus damaging an interest of acknowledged importance.

REFERRED ITEMS

R.2 (From Weekly List No. 85)
Referred by Councillor Mrs H L A Glynn

Applicant: Mr R F Janes

F/0599/91/ROC
PARISH OF ROCHFORD

Zoning: Prime Shopping Frontage area;
Conservation Area.

MARKET SQUARE WEST STREET ROCHFORD

CONTINUE EXISTING PERMISSION TO HOLD OPEN AIR MARKET ON TUESDAY OF EACH WEEK.

NOTES:

Frontage: 35m to West Street; Depth: Max of 25m.

This application seeks to renew the temporary planning permission granted in 1988 under ROC/892/88, to continue the open market held on Tuesday of each week. Temporary three year term permissions have previously been granted since 1985 to enable the effects of the use to be assessed. However, as no objections have been raised to the application by any CONSULTEES or in response to press and site notices, it is felt that a permanent permission is justified and appropriate.

APPROVE:

01 NON STANDARD CONDITION

No parking of vehicles shall take place within the area of the application site between the hours of 9.00 a.m. to 5.00 p.m. on market day.

02 NON STANDARD CONDITION

The application site shall be cleared of all waste material to the satisfaction of the Local Planning Authority following the holding of every market.

03 NON STANDARD CONDITION

A skip or other receptacle suitable for holding refuse and capable of being kept closed or covered, shall be provided on each occasion the market is held, and removed following the market.

04 NON STANDARD CONDITION

No stall shall be erected or other work carried out in association with the market prior to 6.00 a.m. on the day the market is held.

05 NON STANDARD CONDITION

The layout of the market stalls shall be in conformity with the submitted drawing, dated 28th September, 1988, unless otherwise first agreed in writing by the Local Planning Authority.

R.3 (From Weekly List No. 85)
Referred by Councillor T Fawell

Applicant: New England Building Company

OL/0611/91/ROC
PARISH OF HAWKWELL

Zoning: Residential.

44 HAWKWELL PARK DRIVE HAWKWELL

OUTLINE APPLICATION TO ERECT 5 DETACHED HOUSES AND A DETACHED CHALET WITH GARAGES AND PRIVATE DRIVE

NOTES:

Frontage: 28.5m; Depth: 76m; Density: 9.4 d.p.a.

HAWKWELL PARISH COUNCIL - no comments.

Vacant site situated at the eastern end of Hawkwell Park Drive on which outline planning permission was granted on 1st March, 1991 for five detached dwellings, following a site visit by Members (OL/0755/90/ROC).

This outline application is for the erection of six detached dwellings comprising two detached houses on the site frontage with three houses and a chalet at the rear, with access via a proposed private drive. All the properties will have garages with additional on-site parking facilities and generous rear garden areas.

The proposal is similar to the pattern of development approved by the previous scheme and the relationship with the neighbouring properties is considered to be acceptable.

The CHIEF FIRE OFFICER, COUNTY SURVEYOR, NATIONAL RIVERS AUTHORITY, HEAD OF ENVIRONMENTAL SERVICES (ENGINEERS) and the SOLICITOR have raised no objections. ANGLIAN WATER have no objection, subject to a condition concerning the sewage embargo which affects the site.

No replies have been received following NEIGHBOUR notification.

APPROVE:

01 RESERVED MATTERS TO BE APPROVED

02 TIME LIMITS (OUTLINE)

03 NON STANDARD CONDITION

Before any of the properties hereby approved for plots 3, 4, 5, or 6 are occupied, the private drive and turning area shall be constructed together with surface water, foul sewers and mains services for the entire development, all in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The private drive shall be a minimum width of 3.7m from Hawkwell Park Drive throughout its length extended to the southern extent of the garage drive of Plot 3.

04 PRIVATE DRIVES-SURFACE FINISH

05 NON STANDARD CONDITION

The private drive, turning areas, access to garages and proposed vehicular crossings to Plots 1 and 2 shall be laid out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

06 CAR PARKING-MULTIPLE DWELLINGS

07 MATERIALS FOR EXTERNAL USE

08 LANDSCAPING SCHEME - DETAILS

ADD AT END "The landscaping scheme shall also include details of all existing trees to be retained"

09 TREE AND SHRUB PROTECTION

10 DETAILS OF MEANS OF ENCLOSURE

11 DETAILS OF SCREENING

ADD ..the screening, as approved, shall thereafter be retained to the satisfaction of the local Planning Authority.

12 PD RESTRICTIONS PRIVATE DRIVES

13 GROUND/FLOOR LEVELS

14 NON STANDARD CONDITION

Details of refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and such facilities, as approved, shall be permanently provided to the satisfaction of the Local Planning Authority.

15 NON STANDARD CONDITION

Details of any floodlighting or street lighting to the private drive shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced.

16 NON STANDARD CONDITION

Not more than one of the properties hereby approved shall be occupied and used as a dwellinghouse before 1st January, 1992.

REV.

SCHEDULE OF DEVELOPMENT APPLICATIONS, WITH DIRECTOR'S
RECOMMENDATIONS, FOR DETERMINATION AT THIS COMMITTEE

4.

CU/0556/91/ROC PARISH OF HOCKLEY

UNITS 13-14 ELDON WAY HOCKLEY

CHANGE USE OF JOINERY WORKS TO MANUFACTURE OF SHEET METAL PRODUCTS

Applicant: ALLFAB ENGINEERING CO. LTD

Zoning: Existing Area Primarily for Industrial Use

Floor Area: Factory - 540sq.m. (5813sq.ft.)
Office - 120sq.m. (1292sq.ft.)

HOCKLEY PARISH COUNCIL is concerned about possible noise pollution given the proximity of the industrial units to residential including the Rupert Jarvis Court retirement complex.

Delegate to Director of Development to determine on expiry of period allowed for neighbour comments.

APPROVE:

01 COMMENCE IN 5 YEARS

02 PERSONAL PERMISSION
Allfab Engineering Co Ltd.

03 NON STANDARD CONDITION
The hours of work shall be 7.00 am to 6.00 pm Monday to Friday and 7.00 am to 12noon on Saturdays. There shall be no work carried out on Sundays or Holidays.

04 INDUSTRY AIR POLLUTION

05 PAINT SPRAYING PROVIDE BOOTH

06 BURNING OF WASTE MATERIALS

07 NON STANDARD CONDITION
There shall be no work carried out on the open areas of the site.

08 NON STANDARD CONDITION
The workshop doors shall be kept closed at all times except for access.

09 NON STANDARD CONDITION
Before the use of the buildings commences they shall be adapted to provide sound insulation in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

10 LOADING-UNLOADING AREA - 1

ALL

REPORT:

The units were last occupied by Mountney Motor Products Ltd. operating under a personal planning permission (ROC/481/85) granted on 10th September, 1985 for the manufacture of leather covered polyurethane and aluminium steering wheels and electrostatic powder coating of metal. This consent was made personal principally in the interests of residents living in close proximity to the site. The building was also subsequently extended with the benefit of planning permission (ROC/623/85 and ROC/833/85) to provide Mountneys with ancillary office accommodation.

The present applicants currently occupy unit 26 Eldon Way and wish to move to the application site to facilitate expansion. They describe themselves as a light engineering company mainly involved in the manufacture of catering equipment from sheet metal.

They are prepared to organise their production processes within the building with the more noisy operations located at the front of the building away from the boundary with the residential area. They are also prepared to organise their production processes within the building with the more noisy operations located at the front of the building away from the boundary with the residential area. They are also prepared to insulate the building to the local authority's requirements. The proposal is consistent with Rochford Rural District Local Plan Policy EB2.

They employ local people and will employ more if allowed to expand. They have sought alternative premises locally to no avail.

Some LOCAL RESIDENTS object and three letters have been received one of which (from Rupert Jarvis Court) is supported by his neighbours via a PETITION containing 32 signatures. Their grounds of objection are potential increased noise nuisance, fumes and general disturbance.

The CHIEF ENVIRONMENTAL HEALTH OFFICER reports there is potential for nuisance by way of noise, odours etc. from the proposed development, greater than exists at present. However no objections are raised against the proposal subject to condition 2 to 9 being attached to any permission granted. These comments are made following additional technical information submitted by the applicants relating principally to predicted noise levels at the boundaries of the application site. The study was produced by independent specialist consultants who made the following recommendations and conclusion.

- i) The workshop doors must be kept closed. If necessary, ventilation should be provided by a purpose designed, attenuated ventilation system.
- ii) Noisy machinery (e.g. guillotine) and operations (e.g. grinding) should be confined to the unit furthest from the houses where possible.
- iii) The windows in the wall facing the houses should be double glazed. By installing double glazing with an airspace of 100mm (minimum) it should be possible to reduce the noise transmitted through the facade by up to 10 db.
- iv) Any particularly noisy operations (such as grinding large vessels) should be performed during normal working hours.

In conclusion, we feel that if the above steps are taken, the use of Units 13 and 14 Eldon Way as an engineering workshop by Allfab Engineering Ltd. will not give cause for noise complaints by local residents."

ANGLIAN WATER has no objections to raise to the proposal from the planning aspect and has no comment to make thereon. THE COUNTY SURVEYOR leaves the matter to the discretion of the Local Planning Authority.

5.

CU/0612/91/ROC PARISH OF HULLBRIDGE

LAND BET KINGSWAY & BURLINGTON GARDENS HULLBRIDGE

CHANGE USE TO AGRICULTURAL RECREATIONAL FARM PARK AND RETENTION OF EXISTING MOBILE HOME(S)

Applicant: MR & MRS P J SMITH

Zoning: M.G.B.; Landscape Improvement Area.

HULLBRIDGE PARISH COUNCIL - requested entrance and car park to be approached from Burlington Gardens and not Kingsway as this was maintained by residents. Furthermore, would result in more traffic emerging onto the Ferry Road/Lower Road mini-roundabout.

REFUSE:

01 GREEN BELT - AGRICULTURAL

ADD Furthermore, the caravans/mobile homes sited on the land are visually intrusive in the open countryside and consolidate the sporadic development in the open rural part of a Landscape Improvement Area (as indicated on the above Local Plan.

02 PRECEDENT

03 NON STANDARD REFUSAL

The proposed access and car parking area is poorly sited in relation to the overall use of the site, would be visually intrusive and lead to disturbance to the occupiers of the residences in Kingsway by reason of noise, dust, vibration and fumes from vehicles including coaches entering and leaving this area and using the adjacent unmade road.

REPORT:

This application involves the creation of a farm park to allow visitors access to a working "rare breeds" farm and the retention of one of the three mobile homes presently on site. Whilst the latter is discussed more fully below, Members may wish to be informed of the applicant's intentions in respect of the farm park element.

Following success with four farm open days at the property this year, the applicants wish to extend this use to Sundays and Bank Holidays from April to September between the hours of 11.00 a.m. to 5.00 p.m. School parties and play school groups will be encouraged on a strictly appointment only basis. Some refreshments, e.g. drinks and ice cream, but not hot meals, are proposed. Mobile toilet facilities will be provided on such days. The main activity for visitors will be to examine various rare breeds of pigs, goats, sheep, etc. kept within an "environmentally friendly" farming enterprise.

In view of its implications, the above recommendation has neither been made lightly nor easily but, after careful examination of all the relevant factors, it is considered that a firm stand has to be taken in the Green Belt to avoid long established policies being undermined. The site has a long and complex history and Members will wish to be informed of this and other considerations before coming to a firm conclusion on the housing issue.

Relevant Planning History

Evidence was presented to a 1988 Public Inquiry that part of the application site had been used for the stationing of a single mobile home in November, 1965. The last site owner, a Mr. Parker, had applied in 1982 for an Established Use Certificate for use of the site for a residential mobile home but, as insufficient evidence was produced, this application was refused in May, 1984.

In April of the previous year (1983) permission was exceptionally granted to Mr. Parker to remain in this mobile home on a strictly temporary (up until April, 1986) and personal basis; Mr. Parker and his wife were very elderly and frail, had lived in the mobile home for some years and the Authority wished to avoid causing unnecessary hardship. It was made clear in this permission that a permanent residential unit would be contrary to Green Belt policy.

Therefore, when a Mr. Barrell applied in May, 1983 for the retention of this mobile home without complying with these conditions, the application was refused.

It was about this time (December, 1983) that the present applicants purchased the property. They chose to move to the site because it provided more space for their animals and birds which were causing problems with their neighbours at their previous house. In 1984 it became apparent to them that the mobile home did not have full residential rights and the solicitors who carried out the conveyance had omitted to establish this fact; the solicitors were subsequently sued in 1986 and it is understood that compensation in the region of £40,000 was paid.

An application (ROC/700/87) to retain the now three mobile homes on site as part of a small holding was refused and enforcement action authorised but delayed pending the outcome of an appeal. A Public Inquiry was held in April, 1988 to determine this appeal and the Inspector's decision letter was issued in July, 1988. The letter explains that some weight had been given to the personal circumstances of the appellants but,

"...the most important consideration is the affect of making this case an exception to the long established policies of the Green Belt because it seems to me that to permit an exception to Green Belt policy on grounds of this kind would lead to many other similar applications for development in the Green Belt with grave consequences for the underlying objections of Green Belt policy..."

The Inspector went on further to state -

"In my opinion the granting of a personal occupancy condition would be tantamount to granting a permanent permission because of the ages of the appellants. Further I consider that the existing buildings on the site are a visual intrusion into the open character of the area, the adverse effect of which would not be substantially reduced by landscaping."

He consequently dismissed the appeal.

Another Inspector took a similar view at a subsequent Public Inquiry which was held in May, 1990 following the serving of Enforcement Notices requiring the mobile homes to be removed. At that Inquiry the agricultural issue was very fully considered. The Inspector concluded, in her letter dated June, 1990,

"The principal points of the appellant's case is that there is sufficient agricultural need to justify a dwelling on the site at least for a limited period to allow viability to be established..... Nevertheless, in my opinion it is the viability of the enterprise which is the crucial point...."

She went onto point out,

"The Local Plan is up to date and its policies must therefore have considerable weight.....it appears to me that a sensible interpretation of this policy is that viability must be close to achievement before a limited period permission can be granted. It is admitted that viability does not exist at present..... Further, no accounts have been kept so far, which is surprising if there is a serious attempt to achieve viability within a few years after animals have been kept for seven years. I am not convinced therefore that viability is likely to be achieved after a further three years. Progress has been slow to date and the very restricted area of land available means that even with additional value of the rear breeds viability will, in my view, be difficult to achieve."

In respect of the appearance of the development she agreed with the previous Inspector,

"With open farmland to the front and rear of the site, the buildings and caravans are visible from some distance.... Although the site is tidy the caravans and mobile homes are not visually sympathetic to the rural character of the Green Belt. I appreciate that there are other sites in the vicinity which are far more unsightly but... it is necessary to prevent any further visual deterioration. A more important point, however, is that the area, due to the sporadic nature of the nearby development is subject to very

strong pressures for further development. If permission is granted on this site without full compliance with the relevant policies, it will be very difficult to refuse other proposals, and will thus contribute to a continuing erosion of the open and rural character of the Green Belt."

In respect of the personal circumstances of the appellants she, again, agreed with the previous Inspector,

"I am aware of your clients personal circumstances and I appreciate that the site is the only home for themselves and their adult children. Whilst I have sympathy with their predicament, they have been aware of the planning situation for some years now and I do not consider that this amounts to special circumstances sufficient to override the strong restrictive policies." Nonetheless, she did go on to extend the period for compliance from six months to one year to make "alternative arrangements...for the animals...and a home must be found for four adults..." Consequently the Enforcement Notices should have been complied with by the 26th June, 1991.

Present Holding and Application

In the meantime, the applicants did indicate that steps were being taken to develop the agricultural activities on the site with a view to justifying retention of the mobile homes. Action in the courts was therefore withheld pending this submission. An appraisal carried out by A.D.A.S. (Agricultural Development and Advisory Service - as part of the Ministry of Agriculture, Fisheries and Food) was compiled at the applicants request. Members may care to note that a similar appraisal was carried out by an agricultural consultant - previously employed by A.D.A.S. - and considered at the last Public Inquiry. This latest appraisal differs in one major respect however; the amount of land now being included in the application extends to some 13 ha. (32 acres) as opposed to the 1.62 ha (4 acres) which was considered at the latest Public Inquiry. Nonetheless, this warrants further explanation.

As explained in the A.D.A.S. appraisal, when the applicants purchased the farm in 1983 the freehold area amounted to 0.25 ha (0.6 acres). In 1987 they bought a further 0.1 ha (0.25 acres) and added 0.2 ha (0.5 acres) two years later giving a total of 0.55 ha (1.35 acres). They now have an adjoining 11.7 ha (29 acres) on a "Gladstone and Bowen agreement" from an adjoining farmer (J.C. Pinkerton Farms). The appraisal points out that these 11.7 ha have :-

"...been let to the Smiths under this 23 month agreement. In addition to this they have held 0.8 ha (2 acres) on a grazing licence renewed annually since 1983. Both these forms of agreement provide the occupier with no security of tenure..."

In summary: of the 13 ha (32 acres) of land included within this application only 0.55 ha (1.35 acres) is owned by the applicants; the remainder is in separate ownership and can be taken back by the owners within 12 or 23 months.

Notwithstanding these facts the appraisal further states :-

"Due to the limited numbers of livestock on the holding the present business cannot be said to be viable in terms of Circular 16/87".

The appraisal does go on to say the present situation is only the first phase in a business plan proposed by the applicants agent and neighbour, Mr. Howells. The cornerstone of the business will be pig breeding with the stated aim to establish a herd of high quality registered "rare breed" pigs on an additive free diet thereby allowing premium prices to be obtained. Nonetheless, as the appraisal remarks :-

"In my opinion, at its current level of output this business is not viable. If the business plan is implemented successfully then it may produce an income which is equivalent to the minimum agricultural workers wage, providing :-

- (1) the rented land remains available to the business,
- (2) premium prices can be obtained through Mr. Howell's shops.

It should be noted that it is unusual to find an agricultural business based solely on rare breeds. Without the Smith's specialist knowledge of markets and husbandry another occupant taking over the holding is unlikely to be able to meet the viability requirements."

Finally, the appraisal goes onto conclude :-

"If the unsecured land is lost then viability would require that an intensive system of livestock production be adopted. This would require further investment in pig weaner accommodation. In my opinion the area of land available would be insufficient to support the range of stock proposed. Under these circumstances the business would not be viable."

Governmental advice (in the form of the Annex to Circular 24/73) warns :-

"It is, for example, clear that a farm which could not provide an income at least equal to the minimum agricultural wage would not be viable, and an income above the level may be necessary for viability in view of the investment requirements of a farm business. The expression of an intention of reorganise or expand an enterprise of doubtful viability will not in itself be sufficient..."

COUNTY SURVEYOR - no objections subject to a condition requiring parking space. Points out that Kingsway is a non-maintainable public highway over which public rights of way exist.

NATIONAL RIVERS AUTHORITY - no objections subject to proper disposal of wastes.

NEIGHBOURS - some 11 letters from 10 residences in Central Avenue, Kingsway, Lower Road, Queen Anne's Grove, and Wellington Avenue have been received. Objections have mainly focused on the access/car park being situated off Kingsway which residents believe (incorrectly) is a private road. As such this would increase traffic danger at the mini-roundabout, generate traffic along a privately maintained road as well as leading to loss of visual amenity. Loss of privacy from picnickers also mentioned in addition to problems from cattle wandering up to rear gardens, causing disturbance/danger to young children.

CONCLUSIONS:

The site is clearly within the Green Belt where strict planning policies have to apply. The applicants case and predicament have twice been tested by independent Inspectors at Public Inquiries and on both occasions the Authority's action was supported.

Although further land has now been included in this current application, there is no legal right of tenure to it and the A.D.A.S. appraisal highlights the present non-viable nature of the business. Even discounting the issue of ownership, the extended holding may, only after development/investment, generate income equivalent to a farm workers wage and even this is dependent on the personal expertise/involvement of these particular applicants.

Following the latest Public Inquiry the Inspector made reference to the Green Belt policy and, in particular, its interpretation in respect of the viability of a holding: "...that viability must be close to achievement..." Clearly in this proposal that is not the case and to ensure such policy is maintained enforcement has to follow. Bearing in mind compliance with the enforcement notice has already been extended it would not appear to be politic to await the outcome of yet another possible appeal before proceeding. Nonetheless, as a gesture of co-operation, it is suggested that the applicants are given until the end of June, 1992 to remove the mobile homes. This decision would be regardless of whether another appeal had been made.

6.

F/0399/91/ROC PARISH OF HAWKWELL

GREEN ACRES PARK GARDENS HAWKWELL

RETENTION OF USE OF LAND FOR RECREATIONAL CARAVANING AND CAMPING,
STORAGE OF TOURING CARAVANS AND SITING OF ONE MOBILE HOME

Applicant: MRS C L DAWKINS

Zoning: M.G.B.

HAWKWELL PARISH COUNCIL comment that they have had no complaints from neighbours.

APPROVE:

01 NON STANDARD CONDITION

The recreational caravanning and camping use hereby permitted shall be restricted to the area hatched on the submitted plan within the letters A - F except in respect of the one recreational caravan sited at position marked Y on the said plan.

02 NON STANDARD CONDITION

The one caravan sited in the position marked Y shall be for the sole use of the present users Mr. D.E. and Mrs. T. Coppins and shall be removed from the site when no longer used by them or at the end of its serviceable life.

03 NON STANDARD CONDITION

The northern and southern boundaries of the hatched area referred to in Condition 1 above shall be delineated on the ground with a low chain link fence whilst along the western boundary of the hatched area the existing 6ft. screen fence shall be retained.

04 RETENTION OF FENCE OR WALL

05 NON STANDARD CONDITION

The siting of the mobile home hereby granted relates to the mobile home identified on the plan by the letter Z.

06 NON STANDARD CONDITION

The storage of touring caravans other than within the area specified in Condition 1 above, shall be limited to no more than ten caravans at any one time, all to be sited within the two small areas annotated on the submitted plan by the letters T - T and crosshatched.

07 NON STANDARD CONDITION

Other than the occupation of the mobile home referred to in Condition 4 above there shall not be, outside the period 1st February to 30th November inclusive, any recreational caravanning or camping use on the site nor any occupation of any such unit.

08 NON STANDARD CONDITION

No caravan storage, recreational caravanning, camping use or siting of any caravan for any purpose shall take place on the application site except in the manner specifically provided for in the conditions imposed herein.

09 NON STANDARD CONDITION

All caravans other than the one mobile referred to in Condition 4 shall be touring trailer caravans.

10 NON STANDARD CONDITION

All vehicular access to the site shall be achieved from the existing access road marked by the broken line X - X on the submitted plan and accessed from Park Gardens. Furthermore, this access road shall be clearly defined and all encroaching vegetation shall be kept trimmed back one metre on either side.

11 NON STANDARD CONDITION

A directional sign identifying the name of the site shall be displayed at the site entrance at the junction of Park Gardens and the access road in accordance with details previously submitted to and agreed by the Local Planning Authority.

REPORT:

Background

The area of Greenacres, a detached house, is some 2.1 ha (5.2 acres) and has been in the ownership of the Dawkins family for many years.

In 1987 the Development Services Committee considered a report on the unauthorised use of this site. The report detailed the long history of camping and caravanning on the site going as far back possible as 1926 and variously one or two residential caravans/mobile homes positioned on the site. It accepted there might be a case to accept an established use for recreational caravanning which could be recognised and confirmed by a

conditional planning permission related properly to that part of the site affected. Also that consideration would also have to be given to retaining the residential mobile home on site.

Officers were authorised to discuss with the owners of the site on a without prejudice basis with a view to considering a planning application for the site.

Current Application

The current application flows from these discussions and seeks to regularise the long standing uses on the site. The planning conditions proposed will control and limiting the areas of the site that can be used for the specified purposes limiting the primary use of recreational caravanning and camping to that part of the site historically used, i.e. in the main the open area to the west of Greenacres, also limiting the recreational caravanning and camping use

Similarly the other uses are restricted to the respective areas of the site. Regularising the uses to these limited parts of the overall site should not affect the wooded areas of the site which, in part, are covered by Tree Preservation Orders. The mobile home on site is occupied by the site owners daughter and family. The only other caravan occupied outside of the main recreational area is a larger caravan situated in a wooded part and occupied by a couple as their residence. Their occupation has not been as long standing as that in the mobile home, is not included in the application for permanent permission and is subject to the two month closure period and Condition 2.

The HEALTH AND HOUSING SERVICES COMMITTEE on the 5th November resolved that the Chief Environmental Health Officer be authorised to issue the "sister" caravan site licence subject to any necessary planning permission and to site licence conditions.

The CHIEF ENVIRONMENTAL HEALTH OFFICER is concerned to regularise the unauthorised use of the site by way of a planning permission to enable a caravan site licence to be issued.

The COUNTY SURVEYOR considers the matter de minimus, leaves it to the discretion of the Local Planning Authority.

FIRE AND RESCUE SERVICE have made detailed recommendations, two are included in Conditions 10 and 11, others are more appropriate for inclusion in the caravan site licence.

Following display of site notices and notification to all residents bordering the site, two LETTERS OF REPRESENTATION have been received. One is supportive on a personal basis of the applicant, Mrs. Dawson's application, but has objections to the general principle involved. The other is similarly quite happy with present level of activity on site and with Mrs. Dawkins approach. But are fearful and object to future possible extra facilities, more activity or traffic particularly in Victor Gardens and are concerned that trees, scrub and wildlife are not adversely affected.

7.

F/0575/91/ROC RAYLEIGH

RAINBOW NURSERY SCHOOL 40 EASTWOOD ROAD RAYLEIGH

CONTINUE USE AS A NURSERY SCHOOL

Applicant: MR L F & MRS M C M ARGENTIERI

Zoning: Residential.

Delegate to the Director of Development to approve following the satisfactory conclusion of neighbour notifications.

APPROVE:

01 NON STANDARD CONDITION

The use hereby permitted shall be carried on only by Mr. and Mrs. Argentieri and by no other person or business undertaking without the prior written approval of the Local Planning Authority.

02 NON STANDARD CONDITION

The use hereby permitted shall be discontinued on or before 31st December, 1992 unless otherwise agreed in writing with the Local Planning Authority.

03 NON STANDARD CONDITION

The proposed use shall not operate before 8.00 a.m. or after 5.00 p.m. each weekday and not at all on Saturdays, Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

04 NON STANDARD CONDITION

Minimum parking spaces for the parking of two staff vehicles only, shall be accommodated within the application site at any time and the applicants shall use their best endeavours to direct all other parking, of customers' and additional staff cars, to suitable off-street public car parking facilities in the vicinity.

05 NON STANDARD CONDITION

The number of children attending the playgroup at any time shall not exceed 40.

REPORT:

A personal temporary planning permission was first granted on 18th October, 1984 (ROC/580/84) to enable the Local Planning Authority to monitor the use in relationship to parking arrangements and highway safety. Additional conditions were imposed controlling numbers of pupils, days and hours of opening (i.e. 8.00 a.m. to 5.00 p.m. Mondays to Fridays) and subject to the availability of the Evangelical Church, Eastwood Road, car park for overspill customers and staff parking. This permission was renewed on 27th September, 1985 (ROC/523/85). In 1988 a further temporary permission was granted at the direction of the County Surveyor to enable additional monitoring to take place because the Evangelical Church parking facilities had been withdrawn. The applicants at that time gave an undertaking to exercise strict control in their management of the site and car parking via verbal and written direction to parents.

The last application (ROC/673/89) granted on 29th September, 1989 was for a further two year period and despite continued limited parking arrangements no objections were received from neighbouring occupiers on grounds of indiscriminate parking.

The applicants have written in support of the present proposal emphasising measures taken to ensure that the use is well managed and operates with due regard to highway safety and consideration for neighbouring commercial occupiers. Its rules and regulations which each parent must sign stipulate that any parent parking in a dangerous or illegal fashion will forfeit their child's place at the Nursery.

Five NEIGHBOURING OCCUPIERS have submitted comments three of whom object. A resident of Finchfield is concerned about vehicles which park in the narrow part of Finchfield causing obstruction so passing commercial vehicles have to mount the pavement creating a danger to highway safety and would not like this to recur on a regular basis. The owner of the vacant commercial premises next door objects on grounds of inadequate parking space within the site resulting in indiscriminate parking elsewhere including his forecourt. He emphasises that the problem is exacerbated by a reduction in short-term on street parking in Eastwood Road and the previous loss of parking at the Evangelical Church. Unwins express similar comments together with an occupier from Daws Heath Road who also cites noise and disturbance especially during the summer months, including weekends. A commercial occupier opposite the site states that they have no objections as no problems have arisen from the Nursery School use in the three years that they have occupied their own premises. They positively support the proposal.

In view of comments received a survey was carried out on Thursday 3rd October, 1991 from 8.30 a.m. to 10.00 a.m. Twelve parents'/guardians' vehicles were witnessed using adjoining forecourts and Finchfield. The figures are illustrated below :-

<u>Location</u>	<u>Number of Vehicles</u>
Adj forecourt (42-46 Eastwood Road)	2
Unwins forecourt (48 Eastwood Road)	4
Adj Chinese Takeaway (50 Eastwood Road)	3
Finchfield (outside Nos 3 - 6)	3
	<hr/>
TOTAL:	12

This represents about 33% of the total number of 40 children who normally attend each session. At a subsequent site meeting with the applicant, caseworker and a representative of the County Surveyor, four vehicles were indiscreetly parked to enable their owners to collect children at lunch time (about 12 noon). One parked on the adjacent forecourt (fronting 42-46 Eastwood Road) and three in Finchfield. This represents about 10% of the maximum possible.

Following the meeting an explanatory letter was submitted to the County Surveyor from the applicants. His subsequent comments are characterised as follows :-

"It would appear that the problem of car parking has arisen partly due to the fact that the adjacent shop has become vacant. However, it was noted at the time of the meeting that general parking was already taking place on the forecourt, which clearly was not connected with the nursery school operations.

It is observed that the vast majority of parents do in fact comply with the applicants' instructions regarding car parking. Therefore having regard to the measures already taken, and those proposed to prevent any unauthorised parking, it is considered that a further period of temporary consent for one year only would be appropriate at the present time."

The additional measures proposed to control indiscriminate parking include having parking restrictions on all forecourts and Finchfield as a condition of attendance at the nursery; the presence of the office supervisor on the Rainbow forecourt during the four daily arrival and departure times to note offenders; and directing parents to use the Council car parks. The applicants also claim that they have support from two local police officers in relationship to their site traffic management and safety record. It is understood from County that there were only 11 personal accident injuries in the vicinity in the last three years. All occurred outside the hours that children would be arriving or being collected and none involved children.

THE CHIEF ENVIRONMENTAL HEALTH OFFICER raises no adverse comments.

THE ESSEX COUNTY COUNCIL FIRE OFFICER is concerned that measures previously identified have not been followed and a copy of his letter has been sent to the applicants for information.

Finally, a volume of letters (60 at time report drafter) have been submitted from parents, relatives, etc. of pupils and ex pupils who attend(ed) the Rainbow Nursery in support of the application. One letter from a parent involved in the Royal National Institute for the Blind cites charity work carried out by the school in support of the school continuing. Furthermore, current parents of pupils pledge to abide by the rules of the school with respect to parking etiquette.

8.

F/0625/91/ROC PARISH OF HOCKLEY

SEETEC CENTRE MAIN ROAD HOCKLEY

REMOVE PORTAKABIN EXTEND BUILDING AT REAR ON GROUND FLOOR, UTILISING PITCHED ROOF SPACE OVER - TO FORM LINK, WC'S, OFFICES AND TRAINING ROOMS.

Applicant: SEETEC LTD

Zoning: Residential.

001416

HOCKLEY PARISH COUNCIL comment that the Police Office is considered to be too small and too far to the back of the site and that they understand this would not be acceptable to the Police.

APPROVE:

01 COMMENCE IN 5 YEARS

02 PARKING AREA-PROVIDE & RETAIN

03 MATERIALS FOR EXTERNAL USE

04 NON STANDARD CONDITION

The existing hedgerows marked A, B and C on the plan returned herewith shall be retained and shall not be removed or reduced in height. Furthermore, the hedgerow shall be strengthened by interplanting of new hedging of the same species to form a continuous unbroken hedgerow between points A, B and C within the first planting season after the commencement of the development hereby permitted to the satisfaction of the Local Planning Authority. Any hedgerows being removed without consent or dying, being severely damaged or becoming seriously diseased shall be replaced with hedging of the same species and of such size as may be agreed in writing with the Local Planning Authority.

05 RETENTION OF WINDOW PATTERN

06 SLAB LEVELS SPECIFIED

07 OBSCURE GLAZING

08 NON STANDARD CONDITION

The top flight portakabin shall be removed from the site on or before the infill extension to the main building is first available for use. Furthermore, the ground floor portakabin shall be removed from the site on or before the detached linked extension is first available for use.

REPORT:

Recent Background

Members will no doubt recall the recent application to retain the two flights of portakabins on temporary permission, sited towards the rear of the site.

In support of that application, the applicants explained they were exploring long term permanent solutions to their accommodation needs and were experiencing difficulties concluding a 25 year lease.

This current application is a result of this appraisal and is a reworking of two earlier deemed consent permissions granted in 1989 and is similar to the floorspace and accommodation offered by the larger of these two earlier proposals. It is also understood that the lease has now been completed.

Current Application

The proposal involves an 'infill' extension within the rear courtyard of the existing main 'U' shape building and a free standing extension towards the south eastern rear corner of the site. The latter extension being connected to the main building by a corridor link. Both of these extensions involve

ground floor accommodation with pitched roofs over, incorporating further first floor accommodation within the roofspace. Also roofspace over the existing building is to be utilised in part.

The accommodation to be provided is three training rooms, police office, administrative offices, stores and toilets. This will upgrade the existing premise and replace the three training rooms and toilets within the temporary, portakabins which are to be removed from the site. The applicant explains this is not intended as an expansion of the existing business but to organise it in a more efficient manner. Student, staff and training rooms would remain the same.

The essentially single storey plain tiled roof design of the extensions are in keeping with the existing building. The window pattern employs both high level windows at ground floor and rooflights at first floor with 1.7m (5ft.7ins) eills. The only conventional first floor window is a considerable distance from the site boundary and will be obscure glazed. It is considered that no undue overlooking will occur.

The scheme includes 14 car parking spaces, an improvement in both numbers and layout compared to both earlier schemes.

It is understood to be the applicant's intention to phase the development undertaking firstly the 'infill' works enabling the top flight portakabin to be removed, then subsequently the linked extension enabling the removal of the remaining portakabin.

ANGLIAN WATER, CHIEF ENVIRONMENTAL HEALTH OFFICER and the COUNTY SURVEYOR raise no adverse objections.

In respect of the Hockley Parish Council comments regarding the police room, this has been taken up with both Rayleigh Police and Chelmsford Headquarters without response. The police office is a similar size to the existing one, which it is understood is used as mainly a communication base. If, however, the Police and the applicants agreed on larger accommodation there is some scope to accommodate this in a revised proposal.

The **ACCESS OFFICERS** comments in respect of the disabled have been forwarded to the applicants agent who foresees no difficulty in providing them.

A letter from an agent on behalf of the **BADGERS MOUNT RESIDENTS ASSOCIATION** considers the proposals to be unacceptable in principle and raise objections, on the following grounds :-

1. Over-development of the site, with excessive site coverage.
2. Intensification of the existing use to an unacceptable level to the detriment of the environment and amenity of the area.
3. Loss of privacy.
4. Inadequate parking provision, reduction in the levels of highway safety.
5. Increased traffic generation and movements with related noise and disturbance.

The OCCUPIER of 1, Badgers Mount has written in separately objecting on these grounds.

Objection has also been received from 71, Main Road on grounds of overlooking/loss of privacy, blocking light and car parking problems.

9.

F/0629/91/ROC RAYLEIGH

26 HIGH STREET RAYLEIGH

VARIATION OF CONDITION 3 OF ROC/700/84 TO EXTEND OPENING HOURS ON FRIDAYS & SATURDAYS ONLY BY 1 HR FROM 11.30PM TO 12.30 AM AND ON SUNDAYS BETWEEN 5.00PM - 11.00PM

Applicant: MR RUSTU TABAKCI

Zoning: Prime Shopping Frontage.

REFUSE:

O1 NON STANDARD REFUSAL

In the opinion of the Local Planning Authority, the extension of the opening hours of The Kebab Hut until 12.30 a.m. on Friday - Saturday, and 11.00 p.m. on Sunday, would be detrimental to the locality by virtue of the additional noise, disturbance and potential for nuisance created by customers remaining in the High Street until a later hour than existing. Furthermore, there are no extenuating circumstances sufficient to override these considerations.

REPORT:

This application follows two previous refusals to extend the opening hours of these premises from 11.30 p.m. closure to 2.00 a.m. on Thursday-Saturday (under ROC/061/90; and 12.30 a.m. close on Friday and Saturday (under F/0732/90/ROC). The premises would remain closed on Sundays in both cases.

In support of the application, the applicant has submitted a covering letter, stating that The Pink Toothbrush opposite closes at 1.00 a.m. and hence 12.30a.m. closure of this site will stagger the number of customers in the vicinity. In addition, the precedent of Sunday opening exists in the area, and the applicant requests favourable consideration to avoid bankruptcy. A further letter, accompanied by a 432 name petition states that the applicant is prepared for a temporary permission to be reviewed after one year, or as necessary.

However, conditions have not altered since the refusal of the previous application. It has been suggested to the applicant that he could pursue Sunday opening as a separate issue but this would require a further application.

RAYLEIGH CIVIC SOCIETY comments that conditions do not appear to have altered since the refusal of application F/0732/90/ROC, but suggest that if this application be allowed, it should be for a review period of one year only.

ESSEX POLICE observe that the proposal could have implications for public order, by customers congregating in the area. In addition, there is concern that there is no off-street parking, and this would lead to obstruction of the highway. However, the COUNTY SURVEYOR raises no objections to the proposal.

No other adverse comments have been received in response to consultation.

A PETITION containing 432 names and one letter of support have been received from customers.

10.

F/0663/91/ROC RAYLEIGH

UNIT 1 RAWRETH IND ESTATE RAWRETH LANE RAYLEIGH

NEW WORKSHOP BUILDING

Applicant: FRANKLIN JAY LTD

Zoning: Industrial.

APPROVE:

01 COMMENCE IN 5 YEARS

02 NON STANDARD CONDITION

The materials used in external construction shall match those of the existing workshop building.

03 TREE AND SHRUB PLANTING SCHEME

04 NON STANDARD CONDITION

The building hereby permitted shall be used solely for purposes ancillary to the use of the application site as a machinery and plant hire depot.

05 PAINT SPRAYING PROVIDE BOOTH

06 BURNING OF WASTE MATERIALS

REPORT:

This additional building is required as a workshop for the repair and maintenance of the applicant company's own vehicles and machinery and is to be sited alongside the existing workshop building, on the frontage to the main spine road, with an existing vehicle wash down area being retained between the two buildings.

The height of the building will not exceed the height of the existing workshop. Adequate car parking is available within the site and the proposal is considered reasonable in this industrial estate location.

In response to consultations, no adverse comments have been received but the CHIEF ENVIRONMENTAL HEALTH OFFICER recommends conditions 5 and 6 as set out above.

In response to NEIGHBOUR notification, no replies have been received.

11.

F/0673/91/ROC PARISH OF HULLBRIDGE

HALCYON CARAVAN PARK POOLES LANE HULLBRIDGE

VARIATION OF CONDITIONS TO USE 14 CARAVANS FOR PERMANENT RESIDENTIAL USE

Applicant: W J CATON ESQ

Zoning: M.G.B; Holiday Caravan Park;
Coast Nature Conservation Zone.

Delegate to the Director of Development to determine on the expiry of the consultation period.

REFUSE:

01 GREEN BELT - DWELLINGS

Add: Furthermore, one of the primary purposes of the Green Belt is to allow space in the countryside for urban dwellers to enjoy leisure and recreation and the provision of such holiday caravan site supports that purpose.

02 NON STANDARD REFUSAL

The site is unsuitable for people unconnected with the running of it to live there on a permanent basis. It is remote from the community facilities of the village with sub-standard access, and the establishment of a permanent residential enclave there could only result in the long-term in pressure for the provision of better public services at considerable cost to the community.

03 NON STANDARD REFUSAL

The proposed development, if permitted would result in an expansion of residential caravan site availability with a corresponding loss in the number of holiday caravan site availability. This, together with the resultant precedent for the establishment of further residential caravan sites would be contrary to Policy H17 of the Rochford District Local Plan. In November 1990 amendments to these policies were agreed by the Local Planning Authority as part of the First Review of the Local Plan. As a consequence Policy H17 has been renumbered as Policy H17.

REPORT:

Permission was granted for this site to be used for holiday caravans in 1963 (ROC/581/62) subject to a condition that these were only occupied between 1st March to 31st October each year. This was subsequently amended on appeal in August, 1983 (ROC/546/82) to permit occupation between 1st February and 30th November each year.

A subsequent application (ROC/1038/87) to permit 8 caravans to be occupied all year round was refused and the subsequent appeal dismissed in December, 1988. The appellants at that time were arguing, as the current applicants are now, that the condition was causing hardship to occupiers of the caravans who had bought them as permanent dwellings. They would be homeless if the condition were to be enforced. The applicants on the present application are further arguing that the site owner cannot enforce the vacancy requirement as the legal action takes considerable time to have effect. By the time the action "bites" the authorised period for occupation is upon us again.

The Inspector on the last occasion made the position quite clear :-

"In my opinion it would be wrong to allow this appeal purely on hardship grounds, much as I sympathise with these people who have nowhere else to live. They must have known when they went into occupation of what were clearly holiday caravans that they would have to vacate them in due course, and their position thereafter could not be any worse than when they went into them. If any other view were taken of this matter, it would be an open invitation to others without permanent homes to take up residence in such holiday caravans and very quickly such holiday sites would become residential ones. In the present case this would be unacceptable for various reasons. There is a strong presumption in the Green Belt against allowing further residential uses except where required for the purposes of the rural economy."

He went on to expand on these reasons on the lines indicated in Reasons 1 and 2 above.

The Director of Development sees no justification for now departing from the Inspectors conclusions and the strong Green Belt policies applicable - particularly so when the previous scheme was for 8 caravans whilst this current proposal has increased to 14.

At the time of writing no objections had been received although if any are forwarded before the meeting these will be reported verbally to Members.

12.

F/0676/91/ROC PARISH OF HULLBRIDGE

FAIRFIELDS LOWER ROAD HULLBRIDGE

ERECTION OF GARAGE AND SWIMMING POOL ENCLOSURE

Applicant: B RANDALL

Zoning: M.G.B; Coastal Protection Belt;
Landscape Improvement Area.

APPROVE:

01 MATERIALS FOR EXTERNAL USE

02 TREE AND SHRUB PLANTING SCHEME

03 PD RESTRICTIONS-EXTENSIONS

04 GARAGES INCIDENTAL TO DWELLING

REPORT:

Although this would normally be a delegated matter the item is brought for Members' determination following an enforcement report relating to this site presented to the last planning services committee meeting.

This proposal involves the construction of a sizable building in the Green Belt measuring some 9.5m. (31ft) at its widest point and some 30m. (98ft) in length. The maximum height will be 4m. (13ft). Work on the building commenced some weeks ago the applicants believing the structure was "permitted

development" in accordance with the normal allowances for outbuildings within the curtilage of a dwelling. Certainly if the building were to be within the curtilage of the dwelling it would be classed as permitted development:- it will not exceed 4m in height the area covered does not exceed 50% of the curtilage, it is more than 5m. (16') from the nearest part of the dwelling etc.

However, from the authority's records it appears that the building is partially outside the authorised curtilage of 'Fairfields'. The original plans for the dwelling as well as the boundaries shown on the Ordnance Survey maps indicate a distance of some 11m. (36ft) from main flank wall of the dwelling to the eastern boundary. From measurements taken on site the eastern most wall of the new building is situated some 14.4m. (47ft) from the flank wall of the house, i.e. the garage/swimming pool building overlaps the boundary by some 3.4m. (11ft.).

The applicant disputes this stating that he is within the curtilage and therefore does not require express planning permission for the works. Certainly there is evidence of the remains of a fence some 16.2m. (53ft.) from the flank wall as well as a hardstanding 1.9m. (6ft.) inside this line. Nonetheless there is also evidence of the remains of the line of conifers some 11m. (36ft) east of the flank wall which officers believed formed the boundary of the authorised curtilage.

The view is taken that, on balance, the development is not unacceptable. Although sizable the structure would have been permitted development save for a 30.4m. (11ft) overlap on the boundary the location of which is, in any case, disputed. Furthermore the applicant is willing to carry out planting to screen the building and soften its visual impact on the Green Belt. Notwithstanding his belief that express permission is not required he has submitted this application which allows the authority an opportunity to impose conditions.

No objections have been received from NEIGHBOURS

13.

RM/0632/91/ROC PARISH OF HOCKLEY

23A HIGHAMS ROAD HOCKLEY

DETAILS OF TWO SEMI-DETACHED HOUSES & GARAGES

Applicant: MR S R LEE

Zoning: Residential.

APPROVE:

01 MATERIALS FOR EXTERNAL USE

02 PD RESTRICTIONS-EXTENSIONS

03 RETENTION OF WINDOW PATTERN

04 OBSCURE GLAZING

REPORT:

Members will recall that there is some considerable planning history for this site, with appeals dismissed for two detached houses under ROC/1011/88 and ROC/091/90. Outline planning permission was granted under ref OL/0445/90/ROC on 9th September, 1991 for a pair of semi-detached houses, subject to a Section 106 Legal Agreement restricting the occupancy of one of the dwellings until such time as Anglian Water Services lift the embargo. This outline submission did, however, seek approval to the siting of the development and the means of access and these aspects were acknowledged and accepted.

The proposal conforms to the outline permission, and proposes a reasonable relationship to adjoining dwellings, with driveways positioned at the eastern and western sides of the site, providing separation between buildings and giving access to garages in the rear gardens.

In response to consultations, no adverse comments have been received.

In response to NEIGHBOUR notification, four letters have been received objecting to the proposal on the grounds of building beyond the rear building line, loss of light and privacy, overlooking, increased noise and disturbance from the garages in the gardens, potential damage caused by the removal of a tree, overcrowding and overdevelopment of the site.

All these matters were considered in the outline permission granted last year and the proposal accepted subject to the conditions repeated, where appropriate, in the recommendation.

As regards the Legal Agreement relating to the occupancy of the dwellings, the Council following advice from Anglian Water has agreed to maintain the development restriction until the end of the year when Anglian Water consider the embargo will be lifted.

14.

RM/0640/91/ROC PARISH OF HOCKLEY

6 SOUTHEND ROAD HOCKLEY

ERECT CHALET/BUNGALOW AND HOUSE AND GARAGES (DETAILS)

Applicant: G & CS P YEADDELL

Zoning: Residential.

Frontage: Front Plot - 10m (32ft); Rear Plot - 22m (72ft);
Depth: Front Plot - 17.5m (57ft); Rear Plot - 26m(85ft);
Floor Area: Front Plot - 88sq.m. (947sq.ft);Rear Plot - 108sq.m(1162sq.ft)

THE HOCKLEY PARISH COUNCIL make the following objections:

1. The access to the site near the crest of a hill on a dangerous bend.
2. The proposal represents overdevelopment of the site.

001124

3. The proposal is for backland development which is contrary to the Policy of this Council.

Delegate to Director to determine pending receipt of revised plans, and garage details and any necessary neighbour notifications.

APPROVE:

01 MATERIALS PROVISION OF SAMPLES

02 GARAGES AND HARDSTANDINGS

03 NON STANDARD CONDITION

The proposed brick walling and fencing indicated on the submitted revised drawing no. and dated shall be erected commensurate with the occupation of the proposed buildings.

04 TREE AND SHRUB PROTECTION

05 OBSCURE GLAZING

REPORT:

Outline planning permission was granted for a house and chalet on this site on 7th October 1988 (ROC/978/87) and the applicants are seeking the approval of details.

Four LOCAL RESIDENTS have submitted letters two of whom object on grounds of loss of privacy, increase in vehicular traffic and associate highway safety issues in relationship to the Southend Road access, effect on wildlife and natural cover, inaccurate site plan and the siting of the chalet could be prejudicial to development of adjoining land. The remaining two residents express similar concerns with respect to traffic and highway safety and one is worried about a proposed tree at the southern front corner of the site.

The inaccuracies on the plan referred to by residents relate to inconsistencies between the sizes of the dwellings shown on the submitted detailed floor plan, elevations and site plan. The site plan reflects the block plan submitted at the outline stage. The differences involve an additional half metre (1'8") in the depth of the proposed house to the front of the site and a further 3.5 metres (11'6") added to the depth of the chalet located to the rear. The latter property however has also been reduced in width by 1.3 metres (4'4"). The architect has been asked to submit a revised site plan to reflect these changes and resite the chalet forward to maintain the distance previously shown to the eastern boundary. He has also been requested to incorporate other features which will help to meet points of objection and concern. Any revised plans submitted in the interim will be presented to the meeting.

THE COUNTY SURVEYOR raises no objection to the proposal.

The agreed embargo with ANGLIAN WATER does not apply in this instance as the outline permission predates it.

DELEGATED PLANNING DECISIONS - 14TH NOVEMBER 1991

I have decided the following applications in accordance with the policy of delegation:

ROC/393/89 APPROVED
SINGLE STOREY SIDE EXTENSION
9 CHURCH ROAD BARLING MAGNA
C YOUNG

CA/0528/91/ROC APPROVED
DEMOLISH EXISTING HALL & RE-BUILD WITH EXTENSIONS
VILLAGE HALL HIGH STREET GREAT WAKERING
GREAT WAKERING PARISH COUNCIL C/O R PEARSON

CU/0555/91/ROC REFUSE
CHANGE USE OF GROUND FLOOR TO HOT FOOD TAKE-AWAY
41 NORTH STREET ROCHFORD
MR K S WONG C/O CHENNELLS SOLICITORS
01
DETRIMENTAL TO AMENITIES - NOISE, LITTER, ETC.

CU/0573/91/ROC REFUSE
CHANGE USE TO HOT FOOD TAKE-AWAY
519-521 ASHINGTON ROAD ROCHFORD
01
DETRIMENTAL TO AMENITIES -VEHICULAR AND PEDESTRIAN MOVEMENTS;
ODOURS FROM COOKING OPERATIONS; LITTER

F/0518/91/ROC APPROVE
ERECTION OF 11 SEMI-DETACHED AND TERRACED HOUSES WITH
GARAGES/PARKING (AMENDED SCHEME FOR PART OF STAGE ONE PLOTS 39-
49)
LAND LITTLE WHEATLEY'S CHASE RAYLEIGH
BEAZER HOMES (EAST) LTD

F/0557/91/ROC APPROVE
VEHICULAR CROSSOVER
202A HIGH STREET GREAT WAKERING
MR K G ASHBOLT

F/0558/91/ROC APPROVE
SINGLE STOREY REAR EXTENSION
24 WOODSTOCK CRESCENT HOCKLEY
A HARE

F/0560/91/ROC APPROVE
ENLARGE REAR DORMER
45 WARWICK GARDENS RAYLEIGH
MR D BAYNTON

F/0572/91/ROC APPROVE
TWO STOREY EXTENSION AND FORMATION OF NEW ACCESS (DUPLICATE
APPLICATION TO F/0525/91/ROC)
THE SALTINGS CREEKSEA ROAD CANEWDON
JAMES MORRIS

F/0574/91/ROC APPROVE
TWO STOREY SIDE EXTENSION
1 GLENWOOD AVENUE HAWKWELL
G W BALLINGER

F/0576/91/ROC APPROVE
ERECTION OF A HOUSE & GARAGE (AMENDED DESIGN TO THAT PREVIOUSLY
APPROVED)
ADJ 63 WOODLANDS ROAD HOCKLEY
REDHART PROPERTIES LTD

F/0579/91/ROC APPROVE
FIRST FLOOR EXTENSION AND ALTERATIONS AND CONVERT CHALET TO HOUSE
251 ASHINGTON ROAD ROCHFORD
MR G MARSHALL

F/0581/91/ROC REFUSE
SINGLE STOREY SIDE EXTENSION TO PROVIDE A DOUBLE GARAGE AND
DINING ROOM
2 SOUTHBOURNE GROVE HOCKLEY
MR TROWER
01
INSUFFICIENT DISTANCE BETWEEN FACE OF GARAGE AND HIGHWAY BOUNDARY
02
VISUALLY OBTRUSIVE AND OUT OF KEEPING

F/0585/91/ROC APPROVE
DEMOLISH EXISTING SINGLE STOREY EXTENSION & ADD A TWO STOREY REAR
EXTENSION & DETACHED GARAGE
IVY COTTAGE CHURCH ROAD RAWRETH
DONALD RUSSELL ABBEY

F/0586/91/ROC APPROVE
FRONT AND REAR DORMERS WITH ROOF ADDITIONS TO FORM ROOMS IN THE
ROOF
32 PARK GARDENS HAWKWELL
MR & MRS NYE

F/0587/91/ROC APPROVE
DEMOLITION OF EXISTING GARAGE AND COVERED WAY AND REPLACEMENT
WITH NEW GARAGE AND UTILITY ROOM
33 VICTORIA AVENUE RAYLEIGH
MR G W KNIGHT

F/0588/91/ROC APPROVE
CONVERSION OF BUNGALOW TO HOUSE BY ERECTION OF PITCHED ROOF OVER
EXISTING FLAT ROOF, WITH DORMERS TO FRONT & REAR AND SINGLE
STOREY FRONT EXTENSION
CINDY RAWRETH LANE RAYLEIGH
MR & MRS FEATHER

F/0589/91/ROC APPROVE
SINGLE STOREY SIDE AND REAR EXTENSION
1 ORCHARD AVENUE RAYLEIGH
MR & MRS K ALLEN

F/0591/91/ROC APPROVE
NEW SHOPFRONT INCORPORATING AUTOMATIC TELLER MACHINE
69 HIGH STREET RAYLEIGH
WOOLWICH BUILDING SOCIETY

F/0593/91/ROC APPROVE
CHANGE HIPPED ROOF TO GABLE AND ADD FRONT AND REAR DORMERS
4 OAKWOOD ROAD RAYLEIGH
MR & MRS L GOMMERSALL

F/0597/91/ROC REFUSE
CONVERT GARAGE TO KITCHEN
RIVENDELL NAPIER ROAD RAYLEIGH
MR T F COLLINS
01
VISUALLY UNSATISFACTORY CAR PARKING AREA AND CONTRARY TO POLICY
02
CREATE UNDESIRABLE PRESSURE FOR USE OF ADJACENT LAND FOR GARAGING

F/0600/91/ROC APPROVE
ADD TWO STOREY SIDE, SINGLE STOREY REAR EXTENSIONS.
17 UPPER LAMBRICKS RAYLEIGH
MR GIBBS

F/0603/91/ROC APPROVE
DETACHED DOUBLE GARAGE WITH PITCHED ROOF
22 PURLEIGH ROAD RAYLEIGH
P CARTER

F/0608/91/ROC APPROVE
ERECT TWO GLASSHOUSES FOR GROWING, DISPLAY AND SALE OF PLANTS,
ADDITIONAL OPEN DISPLAY AND SALES AREA AND TURNING SPACE FOR
DELIVERY VEHICLES
MORLEY NURSERIES SOUTHEND ROAD GREAT WAKERING
B A & A M WRIGHT

F/0613/91/ROC REFUSE
TWO STOREY REAR EXTENSION AND BALCONY
45A GOLDEN CROSS ROAD ASHINGDON
M MCKENZIE
01
TWO STOREY DEVELOPMENT WOULD BE OBTRUSIVE AND DOMINANT; BALCONY WOULD BE
OBTRUSIVE FEATURE

F/0619/91/ROC APPROVE
TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS.
51 LASCELLES GARDENS ROCHFORD
MR M TUNNER

F/0620/91/ROC REFUSE
DEMOLITION OF EXISTING DWELLING AND ERECTION OF 2 BED. BUNGALOW
AND DETACHED DOUBLE GARAGE.
SUNRAY COTTAGE CENTRAL AVENUE HULLBRIDGE
MR S BELCHER
01
M.G.B.

F/0622/91/ROC APPROVE
GARAGE AND FRONT EXTENSION
49 HIGHMEAD RAYLEIGH
MR JONES

F/0624/91/ROC REFUSE
ADD SINGLE STOREY REAR/SIDE EXTENSION AND DETACHED GARAGE.
PROSPECT VILLA HAVANA DRIVE RAYLEIGH
MR LAWRENCE
01
M.G.B.

F/0626/91/ROC APPROVE
EXTEND GARAGE TO FRONT AND NEW PORCH
10 BRAMFIELD ROAD WEST RAYLEIGH
MR C T MILLS

F/0627/91/ROC APPROVE
SINGLE STOREY REAR EXTENSION
62 HIGH ROAD RAYLEIGH
M T READMAN ESQ

F/0634/91/ROC APPROVE
ERECT 1 METRE HIGH WALL AND GATES
4 REGENT CLOSE RAYLEIGH
MR M J MCMILLAN

F/0636/91/ROC APPROVE
REMOVE HEDGE AND REPLACE WITH FRONT BOUNDARY WALL AS A VARIATION
TO CONDITION 6 OF ROC/632/87
ADJ 51 HIGHAMS ROAD HOCKLEY
S PAGE

F/0643/91/ROC APPROVE
SINGLE STOREY REAR EXTENSION & RE-SITING OF GARAGE.
52 PLUMBEROW AVENUE HOCKLEY
MR C COOK

F/0651/91/ROC APPROVE
DORMER EXTENSION TO SIDE ELEVATION FACING STREET
11 EASTVIEW DRIVE RAYLEIGH
F J CHIVERS

F/0659/91/ROC APPROVE
SINGLE STOREY SIDE EXTENSION & CONSERVATORY TO REAR
8 WOOD END HOCKLEY
MR & MRS K HOLDER

F/0668/91/ROC APPROVE
VEHICULAR CROSSOVER
122 MAIN ROAD HAWKWELL
MR J HAMMOND

F/0911/90/ROC APPROVE
CONTINUE USE OF DOCTORS' SURGERY ON A PERMANENT BASIS WITHOUT
COMPLIANCE WITH CONDITION NO.1 OF ROC/351/89
49 RAWRETH LANE RAYLEIGH
DR J PERSAUD

LB/0543/91/ROC APPROVE
CONSERVATORY TO REAR
SOUTH LODGE BULLWOOD HALL LANE HOCKLEY
MR DEHAVILLAND

OL/0631/91/ROC REFUSE
OUTLINE APPLICATION TO ERECT BUNGALOW
THE HUT CANEWDON ROAD ASHINGDON
MR ROBERT KEVIS

RM/0590/91/ROC APPROVE
DETACHED 3-BED BUNGALOW AND GARAGE (PLOT 1) (DETAILS)
BET FRANCES COTTEE LODGE & 38 CLARENCE ROAD RAYLEIGH
MR K FENNEL

F/0601/91/ROC APPROVE
TWO STOREY REAR EXTENSION
23-25 SOUTHEND ROAD HOCKLEY
GREYSTAGE CONTRACTS LTD

OL/0646/91/ROC APPROVE
VARIATION OF OUTLINE PERMISSION TO REMOVE CONDITION 13
REQUIRING THE ALIGNMENT OF ACCESS ROAD WITH NORTH STREET
AND PRIORITY MARKINGS ON OL/0337/91/ROC FOR THE ERECTION
OF 12 DETACHED HOUSES AND FORMATION OF ACCESS FROM EAST
SIDE OF NORTH STREET
WHITEHEAT LODGE NORTH STREET GREAT WAKERING
W HOOKEY & MRS I STONE

R. E. V.
001430

DELEGATED BUILDING REGULATION DECISIONS

APPROVALS

14/11/91

PLAN NO	ADDRESS	DESCRIPTION
91/488	1 Orchard Avenue Rayleigh	Single storey rear extension
91/512	36 Grove Road Rayleigh	Rear Extension
91/344A	Land Ad 14 London Hill Rayleigh	Two detached houses and garages
91/502	10 Bramfield Road West Rayleigh	Extension to garage and exempt porch
91/503	17 Teignmouth Drive Rayleigh	Conversion of roof area
91/504	141 Stambridge Road Rochford	Single storey rear extension
91/532BN	1 Dalys Road Rochford	Convert part existing garage to habitable use
91/535BN	7 Wheatley Close Rochford	Add rooms in roof space
91/536BN	Farmside Montifiore Avenue Rayleigh	Balcony and guard rail
91/494	42 Station Road Rayleigh	Two storey side extension and basement garage
91/540BN	83 The Drive Hullbridge	Convert garage to living accommodation
91/541BN	51 Love Lane Rayleigh	Kitchen diner extension
91/550BN	31 Hilltop Avenue Hullbridge	Alteration to garage and porch Flat roof to hip roof
91/551BN	12 Dawlish Crescent Rayleigh	Rear Extension
91/553BN	2 Hillview Road Rayleigh	Underpinning of front side and part rear elevation with superstructure repair and redecorate
91/554BN	111 Main Road Hawkeell	Two rooms in loft extension on side
91/555BN	1 Waxwell Road Hullbridge	Cavity wall insulation
91/556BN	The Anchorage Ulverston Road Rochford	New septic tank

001431

91/282A	61 Victoria Road Rayleigh	Detached bungalow and garage
91/361A	Hawkwell Baptist Church Rectory Road Hawkwell	Extension to hall
91/366A	14 Kingsman Farm Road Hullbridge	Alterations and extensions
91/425A	9 Spa Road Hockley	Internal alterations and external W.C.
91/455	1 Glenwood Avenue Hawkwell	Two storey extension to gable end of house
91/469	Between Francis Cottee Lodge/38 Clarence Road Rayleigh	Plot No 1 D/Bungalow and Garage
91/498	263 Main Road Hawkwell	Room in Roof
91/501	Plot 28, Matchbox Site Off Ashingdon Road Rochford	New Surgery
91/507	23A Highams Road Hockley	Two Semi/Detached Houses
91/508	Cariad's 9 Kingsman Farm Road Hullbridge	Garage
91/524	4 Waxwell Road Hullbridge	Rear Extension
91/537	98 Weir Gardens Rayleigh	Loftrooms and ground floor alterations
91/466A	19 Great Wheatley Road Rayleigh	Front garage extension
91/483	259 Plumberow Avenue Hockley	Underpinning
91/489	Colonial House 62 High Road Rayleigh	Rear extension to provide extra ground floor accommodation
91/515	7 Leicester Avenue Rochford	Bedroom, dining room and utility room
91/522	17 Fairfield Great Wakering	Study/w.c. addition
91/523	23 MacIntyres Walk Ashingdon	Convert garage to playroom
91/526	26 Great Wheatley Road Rayleigh	Partial underpinning
91/528	37 Shoebury Road Great Wakering	Dormer on rear elevation

001432

92/529	The Bramleys Thorpe Road Hawkwell	Convert existing garage into a bedroom
91/561BN	64 Waxwell Road Hullbridge	Install Lift
91/563BN	17 Rushey Close Great Wakering	Single storey extension to side of garage to contain downstairs toilet

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DELEGATED BUILDING REGULATION DECISIONS

REJECTIONS

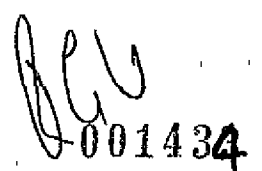
14/11/91

PLAN NO	ADDRESS	DESCRIPTION
91/450	Village Hall High Street Gt Wakering	New Hall
91/463	2 Southbourne Grove Hockley	Side Extension
91/466	19 Great Wheatley Road Rayleigh	Front garage extension
91/467	47 Sandhill Road Eastwood	Rear extension to living room
91/471	12 Chestnut Path Canewdon	Two storey extension to rear of dwelling
91/474	52 Woodlands Road Hockley	Extend existing property
91/472	Fairfields Lower Road Hullbridge	Swimming pool and garage enclosure
91/473	Fairfields Lower Road Hullbridge	Alterations and first floor extensions
91/482	8 Goose Cottage Chelmsford Road Battlesbridge	Single storey extension and detached garage
91/475	Prospect Villa Havana Drive Rayleigh	Utility room and detached garage

CHAIRMAN:



DATE: 12th Dec 91



ROCHFORD DISTRICT COUNCIL

Minutes of the Policy and Resources Committee

At a Meeting held on 26th November 1991 Present: Councillors C.I. Black (Chairman), Mrs. V.J. Arnold, R.H. Boyd, B.A. Crick, T. Fawell, D.F. Flack, Mrs. H.L.A. Glynn, M.J. Handford, N. Harris, Mrs E.M. Hart, D.R. Helson, G.C.A. Jones, Mrs. S.J. Lemon, Miss B.G.J. Lovett, Mrs. E Marlow, C.R. Morgan, S.A. Skinner, R.E. Vingoe, Mrs. L. Walker and D.A. Weir.

Apologies: Councillor R.A. Pearson.

Visiting: Councillors P.A. Beckers, S.N. Jarvis, T.A. Powell, Mrs. M.W. Stevenson and S.R. Tellis.

614. MINUTES

Resolved that the Minutes of the Meeting of 22nd October 1991 be approved as a correct record and signed by the Chairman.

615. MONITORING OF PERFORMANCE

(a) Policy and Resources Committee - Meetings of 4th June and 24th September 1991

(b) Council Meetings of 18th June and 1st October 1991.

The Committee were satisfied that all necessary action had been taken. Minutes 103/87(SOL), 463/91(CE(D)), 465/91(SOL), and 466/91(CE(D),DD) were carried forward.

616. MINUTES OF COMMITTEES

The Committee received the following Minutes:-

<u>Committee</u>	<u>Date</u>	<u>Minute Nos</u>
Health and Housing Services	5th November 1991	568 - 585

In approving the introduction under Minute 582 of a Homelessness Appeals Panel the Committee accepted the suggestion that it should comprise six Members, and noted that the Liberal Group nominees would be Councillors B.A. Crick, Mrs J.M. Giles and Mrs S.J. Lemon with two nominations remaining to be made by the Conservative Group and one by the Labour Group.

Development Services	7th November 1991	586 - 595
Planning Services	14th November 1991	596 - 613

617. PANEL MINUTES

The Panel considered the appended Minutes containing the following recommendations:-

<u>PANEL</u>	<u>DATE</u>
(A) Emergency Panel	6th November 1991

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Policy and Resources

(B) Rochford District & Hawkwell Parish
Joint Panel of Members

13th November 1991

RECOMMENDED That pursuant to the powers contained in Section 19 of the Local Government Miscellaneous Provisions Act 1976 the Solicitor be authorised to lease the site at Spencers Nurseries, Hawkwell to the Hawkwell Parish Council on the basis set out in the Minute and on such other terms and conditions as the Solicitor sees fit. (20785)(SOL).
(Minute 6 - Spencers Nurseries Open Space Site).

(C) Group Leaders Panel

18th November 1991.

(D) Whitehouse Chase Panel of Members

21st November 1991

These Minutes having been laid round at the Meeting consideration was deferred to enable them to be dealt with in conjunction with exempt reports on the subject.

618. BUDGET STRATEGY 1992/93 (Minute 555/91)

The Director of Finance (Designate) reported verbally that the S.S.A. figures for 1992/93 had been released only that afternoon and that whereas in general there had been an increase of the order of 6.8%, Rochford's core assessment figure had been increased by only 1.7%, from £4.84 million to £4.922 million. The capping regime dictated a target figure of £5.767 million which was a worse situation than had been anticipated. Furthermore as the Government had already taken powers to remove the de minimus limit on capping there would not be any tolerance permitted in applying that sanction.

This was an extremely harsh regime for Rochford and it was envisaged that it would apply on a year on year basis. Much had been done already to reduce the 1992/93 budget, both relating to the Authority's own expenditure and in those areas covered by contract specifications but the aggregate figure which currently stood at £5.9 million would need to be reduced still further. Spending Committees would be considering their draft estimates during the Special Cycle of Meetings in December and would need to achieve significant additional savings.

In response to a question from a Member, the Director of Finance (Designate) said that the Local Government Finance Bill provided for District S.S.A. to include Parish expenditure but that this element did not count as yet for capping purposes although the Secretary of State was looking to include it when the new Council Tax was introduced.

The Chief Executive (Designate) said that the situation was extremely grave. Savings of the order of £600,000 had already been identified in arriving at the draft budget figure of £5.9 million but the effect of the S.S.A. announcement was to increase the level of savings which Rochford needed to achieve by a further £800,000. That would necessitate real cuts in service and could not be realised without compulsory redundancies. In response to a question from a Member he said he believed that statutory services could be protected.

Continuing he said that the Standard Spending Assessment system was patently unfair because it created such stark differences between Authorities. As an example Southend were currently able to invest heavily in the arts and entertainment whereas Rochford would struggle to provide

Policy and Resources

its essential and statutory services. This was no criticism of Southend only the formula which meant less could be spent on services for Rochford residents than Southend residents. Whilst the responses received to Rochford's earlier representations had all been negative, they had referred to the fact that there would be a further opportunity to make representations once S.S.A. had been announced. Furthermore the local M.P. had expressed his willingness to raise questions in the House and the Chief Executive (Designate) said both those avenues should be pursued.

The Committee expressed their grave disappointment at the inadequacy of Rochford's Standard Spending Assessment and their concern at the adverse effect that would have upon the level of service they were able to provide to residents in the District. They saw the fact that the Council could no longer afford to respond to local needs by choosing to exercise discretionary powers as an erosion of local democracy which contradicted the Government's stated intention of using the Community Charge to restore local accountability.

Some Members considered that there was no point in making further representations to the Secretary of State or through the local M.P. but the Committee considered that it was vital to the future well-being of the District for the case to continue to be pressed by every means possible. They concurred with the suggestion of a Member that local residents should also be informed of the situation by means of a factual statement to be prepared by the Officers and distributed by the most economical means available. They accepted the advice of the Chief Executive (Designate) that it would be premature to attempt such an exercise until after the budget cycle had been completed.

RECOMMENDED (1) That the target figure for the 1992/93 budget be set at £5.767 million and that the service Committees be asked to conduct the review of their draft budgets within that cash limit.

(2) That further representations be made to the Secretary of State for the Environment and the local MP on the inadequacy of Rochford's Standard Spending Assessment. (31758)(CED(D),DF(D)).

619. DISTRICT AND COUNTY LIAISON (Minute 459/91) *That the Officers be authorised to prepare a factual statement for issue to all residents once the decisions on the budget have been taken. (Minute 634/91, Council 3/12/91 refers)*

The Committee noted the Minutes of the Liaison Meeting held with the County Council on 4th November 1991 (1376).

620. EMPLOYMENT INITIATIVES (Minute 461/91)

The Chief Executive (Designate) reported that following the allocation of £10,000 for the purpose of assisting with employment initiatives, discussions had taken place between the Director of Development and SENTRA to identify suitable projects, the first of which, namely waymarking and ground clearance in Hockley Woods, had already commenced because SENTRA's resources would otherwise have been committed elsewhere. The Committee noted the funding arrangements and the residual costs to the Council of the project which was seen as an excellent opportunity to undertake desirable projects which could not otherwise be pursued because of the budget constraints. (708)

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Policy and Resources

621. DELEGATED POWERS AND AUTHORITIES

(i) Environmental Health Matters (Minute 403(A)/91)

Arising from the recent restructuring when authority to act on behalf of the Council on various environmental health matters had been delegated to him, the Chief Environmental Health Officer reported on the need to ensure that urgent action could be taken when he was for any reason unable to act, by authorising other experienced, senior Environmental Health Section staff to act in his place.

RECOMMENDED That pursuant to Standing Order 42 the holders of posts ES4 and ES6 (Chief Assistants (Health)) be authorised to act on behalf of the Council when the Chief Environmental Health Officer is unable to act, in respect of those matters detailed in the Appendix to this Minute. (4500) (CE(D))

(ii) Attendance at Parish Council Meetings (Minute 550/91)

The Chief Executive (Designate) reported that the Planning Services Committee were asking this Committee to delegate authority to the Director of Development to attend meetings of Parish Councils at their invitation where major planning applications were involved, subject to the proviso that the Planning Services Committee should be kept informed. The Committee were also mindful of the reference by the Group Leaders Panel to Ward Members being notified also.

RECOMMENDED That authority be delegated to the Director of Development as aforesaid (4500) (CE(D))

622. HIGHWAYS ACT 1980 - SECTION 119

PROPOSED DIVERSION OF PART OF FOOTPATH 45 ROCHFORD (Minute 322/91)

The Solicitor reported that this proposal had been publicly advertised and that no objections or representations had been received. It was accordingly

RECOMMENDED That the District of Rochford Footpath 45 Public Path Diversion Order 1991 be confirmed as an unopposed Order. (45) (SOL)

623. HOUSING STRATEGY - ST. CLARE MEADOW (Minute 334/90)

The Chief Housing Manager and Director of Finance (Designate) reported jointly on the adverse effect which a change in next year's funding rate from the Housing Corporation would have upon the Springboard Housing Association project at St Clare Meadow, on the means by which that could be offset by this Council without any detrimental effect upon its financial resources and on the desirability of achieving completion in 1993.

RECOMMENDED (1) That a further contribution totalling £300,000 be made to the St. Clare Meadow project by means of Local Authority HAG in two tranches of £200,000 in 1991/92 and £100,000 on completion

(2) That the Housing Corporation be asked to bring forward the funding for the project to enable completion in 1993.

(885)(DF(D), CHM)

captain

Policy and Resources

624. POSSIBLE MERGER OF PROVINCIAL EMPLOYERS ORGANISATIONS

The Chief Executive (Designate) reported that the Council were being consulted on a merger between the Eastern and the Essex and Herts Provincial Employers Organisations, details of which had been circulated separately and which it was considered had merit.

RECOMMENDED That the Council supports the merger of the two Provincial Employers Organisations on the basis outlined in the consultation paper. (4538)(CE(D)) *but seeks to ensure the continued representation of Rochford District Council on any future body (Minute 634/91, Council 3/12/91 refers)*

625. MEMBERS' ITEMS OF BUSINESS OF WHICH DUE NOTICE HAS BEEN GIVEN PURSUANT TO STANDING ORDER 26.1(C)

Having clarified for a Member the protocol agreed in 1989 whereby an item of business could be placed on the Agenda the Chief Executive (Designate) reported on two suggestions from Councillor R.H. Boyd as follows:

(i) Litter Initiative

To raise the profile of the Council's litter initiatives by introducing an arrangement for the award of a certificate for the cleanest shop frontage /service area.

RECOMMENDED That arrangements be made for the Chairman of the Council to present such a certificate on a quarterly basis. (213)(ACE).

(ii) Aerial Photographs

To make greater use of aerial photographs held by other public bodies and statutory undertakings to identify breaches of planning control thereby also serving as a deterrent.

RECOMMENDED That the Officers make arrangements accordingly. (478)(DD)

626. NATIONAL NON-DOMESTIC RATING - MANDATORY AND DISCRETIONARY RATE RELIEF (Minute 556/91).

The Director of Finance (Designate) reported on the application for both Mandatory and Discretionary Rate Relief under the provisions of Sections 43, 47 and 48 of the Local Government Finance Act 1988 in respect of the Stambridge Memorial Hall. The Committee noted the main objects of this registered charitable organisation, the amounts involved and that Mandatory Relief had already been granted and Discretionary Relief was appropriate under current Council policy. It was agreed that the grant of Discretionary Rate Relief should apply for 1991/92 only and be subject thereafter to the general review which had been requested.

RECOMMENDED (1) That the 80% Mandatory Rate Relief granted to the Stambridge Memorial Hall under delegated powers be noted.

(2) That 20% Discretionary Rate Relief be granted to the Stambridge Memorial Hall as aforesaid. (211)(DF(D))

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Policy and Resources

627. EXCLUSION OF THE PUBLIC

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following items of business on the grounds that they involve the likely disclosure of Exempt Information as defined in paragraphs 7 and 8 respectively of Part I of Schedule 12A of the Act.

628. IMPROVEMENT AND INTERMEDIATE GRANTS - BREACH OF CONDITIONS

The Chief Environmental Health Officer reported in confidence on the basis on which two grants had been paid in respect of works to a property in 1988, the reason why it had since changed hands and that in the event of demolition before a period of five years had elapsed, the Council had discretion as to whether or not to demand repayment. The Committee accepted that it would be appropriate in this exceptional case not to seek repayment of the grant.

RECOMMENDED That should the conditions relating to the Certificates of Future Occupation on the property in question be breached the Council exercise its discretion to waive repayment of the grant in accordance with the provisions of Section 506 of the Housing Act 1985. (12966)(CEHO)

629. WHITEHOUSE CHASE ALLOTMENT SITE (Minute 536/91)

The Solicitor reported in confidence on an offer from the owner of a property in Daws Heath Road to sell his interest to the Council outright. Members had before them also the Minutes of the Meeting of the Panel of Members on 21st November 1991 and noted why they had supported the proposition but would prefer it to be achieved by purchase rather than equality of exchange, subject to the availability of adequate funds. They concurred with the advice of the Chief Executive (Designate) that there was a need to consult the occupier of the adjoining property and to report back to the Panel with a planning brief prior to an early meeting with local residents to consult them on the Council's intentions.

RECOMMENDED (1) That the Solicitor be authorised to complete the purchase of 123 Daws Heath Road at valuation and on such other terms and conditions as the Solicitor thinks fit.

(2) That the criteria set out in the Panel Minutes be incorporated into a planning brief for the Whitehouse Chase Allotment Site and that arrangements be made for Springboard Housing Association and the local residents to be consulted thereon in advance of a planning application.

(3) That in the meantime discussions take place with the owner concerned in order to achieve a mutually acceptable access arrangement off Daws Heath Road. (866/6057) (SOL,CE(D),DD)

630. BUDGET STRATEGY 1992/93 - CONTRACTS

The Chief Officer Group reported in confidence on the basis on which negotiations were continuing with the contractors concerned in order to identify mutually acceptable changes to service contract specifications in accordance with the priorities already determined by the Policy and Resources Committee for non-essential items and that the outcome would be reported to the Special Meeting of that Committee in December.

001440

captain

Policy and Resources

631. CONTRACT NO. 1616 - PROVISION OF BANKING SERVICES (Minute 564/91)

NOTE: Councillors M.J. Handford and D.R. Helson ^{and T. Powell} declared a pecuniary interest in this matter by virtue of ~~employment~~ and beneficial interest ^{in the first case} ~~respectively~~ and left the Meeting prior to its discussion. ^{and employment in the other two cases}

The Director of Finance (Designate) reported in confidence that subsequent to the Council's decision to accept the tender submitted by Barclays Bank PLC having regard to their branch coverage of the District and free counter payment service, they had decided to close their Hullbridge Branch. Members expressed their concern at the effect of that decision on residents of Hullbridge but noted that Barclays would still offer more branches throughout the District and had extended the free counter payment service to include Shoebury. They authorised the Director of Finance (Designate) to negotiate further on the contract terms with both Barclays and the lowest tenderer and to endeavour to ensure that the service now offered would not be further diluted over the contract period. In view of the short time scale involved, the Chief Executive (Designate) was asked to exercise his authority under Standing Order 18 to implement the outcome.

RECOMMENDED Accordingly. (Con.1616)(DF(D))

up to date

001441

ROCHFORD DISTRICT COUNCIL

POLICY AND RESOURCES COMMITTEE - 26TH NOVEMBER 1991

MINUTES OF THE EMERGENCY PANEL

At a Meeting held on 6th November 1991

Present. Councillors B.A. Crick (Chairman), R.A. Amner, C.I. Black, D.F. Flack, M.J. Handford, G.C.A. Jones, Mrs. S.J. Lemon and Mrs. L. Walker.

Also Present. Mr. D. Wallis, Rochford Civil Aid.

Apologies for Absence: Apologies were received from Councillor D F. Flack who was subsequently able to attend the end of the Meeting.

14. MINUTES

Resolved that the Minutes of the Meeting held on 24th September 1991, be approved as a correct record.

15 MATTERS ARISING

- (a) The District Emergency Planning Officer updated Members on the burnt out barge at Barling which should soon be removed. A meeting was due on Friday, 8th November between the National Rivers Authority and representatives of the Great Wakering Yacht Club. A deadline of 18 days had been set for removal of the barge before legal action was commenced. The National Rivers Authority had been informed that a tug had been hired to tow the barge away on the next high tide.
- (b) The Assistant Chief Executive updated Members on developments on sea defence works.-
- (i) Following the recommendation of the Emergency Panel the matter had been referred to the Development Services Committee. Mr. C. Ramsden of the National Rivers Authority would be attending a future Meeting of that Committee to discuss the situation.
- (ii) The matter had been raised with County Council representatives at a Liaison Meeting on Monday, 4th November, although the County Members' response was cautious.
- (iii) Member of Parliament, Dr. Clark, would be meeting the National Rivers Authority to put forward the case for improvements in the Rochford area.
- (c) The Assistant Chief Executive explained changes in the severe weather arrangements for Canewdon. Subject to final agreement the area office would be established in the Congregational Church in Canute Close.
- (d) A request had been made to the District Emergency Planning Officer to circulate details of the courses at the Emergency Planning College as soon as next year's availability was confirmed.

C. P. 10/11

16 FLOODING

The Panel received the report upon flood procedures; the Chairman, Councillor Crick, referred to the table top exercise for Riverwatch Volunteers which he had attended on 29th October.

17. EMERGENCY CENTRE

The transfer of communications equipment from Rochford to the Civic Suite, Rayleigh was discussed and Members urged that this transfer be completed as soon as possible. All costs with the exception of some minor works, would be borne by the Home Office, whose consent was now awaited to complete the works.

18. REST CENTRES

Mention was made of two recent Countywide exercises and the District Emergency Planning Officer gave an indication of the scope of Marinex. This involved the "rescue" of about 1,500 people from a ferry four miles out to sea off Harwich. The exercise tested the emergency responses of both Essex and Suffolk. All the objectives for the rescue and registration of the casualties were achieved and many valuable lessons learnt.

19. OIL POLLUTION

The District Emergency Planning Officer explained that circulation of the revised oil plan had been delayed as a result of the three very recent oil spill incidents at Mobil Oil, Coryton.

The major risk for Rochford District was from a large incident at sea with oil washing onto the coast line. Although the oil could be dealt with at sea, once on beaches or mud flats treatment was not advisable. (Copies of the relevant sections of the coastal schedule from the Nature Conservancy Council are attached for Members' information).

*

up black

Complete detail for Coastal Schedule

Site Name FOULNESS

Site No EX10 County/Region ESSEX

NCC Region East Anglie

District
ROCHFORD
SOUTHEND ON SEA

OS Map No(s) Schedule Map Ref 10 & 11
178

Grid ref to Grid ref Length of coast 17.0 Km
TQ944911

Designation

SSSI; proposed Ramsar site; proposed SPA; Ministry of Defence Property; LNR managed by the Essex Naturalists' Trust.

Coastal Habitat Types

Foulness Island comprises extensive intertidal sand-silt flats, shell-banks, saltmarsh, beaches, grazing marshes, rough grass and scrubland.

Scientific Importance

The intertidal flats and areas close offshore are of international and national importance as winter feeding grounds for several species of wildfowl and wader, with the islands, creeks and grazing land forming important feeding and roosting sites. The shell banks support nationally important colonies of common terns, little terns and sandwich terns. There is a black-headed gull colony on the island. The variety of habitats within this site support an outstanding assemblage of plants and invertebrates, with numerous species of national importance.

Treatment

Leave oil to degrade naturally.
No mechanical or chemical clearance on shore.

Access

Public access at Shoeburyness.

Potential Disposal Site

The County Waste Disposal Officer will be responsible for the disposal of all oily waste collected from the beaches.
The NCC should be consulted if waste disposal sites other than those included in the County Plan are to be used.

Notes

The site borders Maplin Sands which is a Wetland of International Importance.

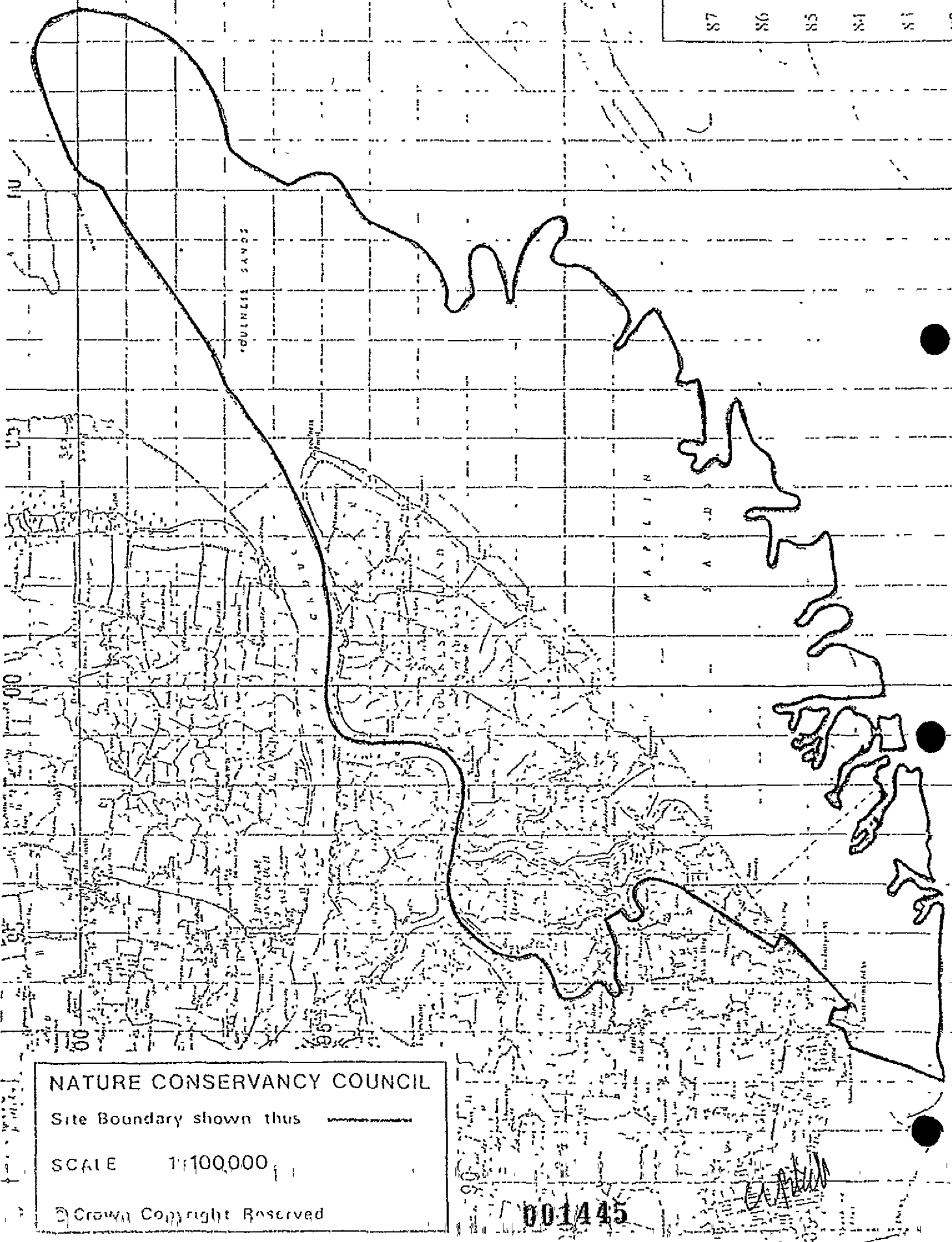
Additional NCC information


Reference

SSSI Notification Document (Nature Conservancy Council 1989)

copy

14	15	16	17
87	86	88	84
81			



NATURE CONSERVANCY COUNCIL
 Site Boundary shown thus 
 SCALE 1:100,000
 © Crown Copyright Reserved

001445

Site Name RIVER CROUCH MARSHES

Site No. EX09 County Region ESSEX

NCC Region East Anglia

District

MALDON

ROCHFORD

CHELMSFORD

OS Map No(s) Schedule Map Ref 10

167

178

178

Grid ref to Grid ref Length of coast 15.0 Km

TQ920969 TQ816959

TQ792954 TQ787949

TQ827958 TQ840963

TQ913966 TQ929953

Designation

SSSI; proposed Ramsar site; proposed SPA; Essex Naturalists' Trust Reserves (Woodham Fenn and Lion Creek); Essex County Council County Park (Marsh Farm).

Coastal Habitat types

The site comprises saltmarsh and grazing marsh within the Crouch Estuary.

Scientific Importance

The River Crouch Marshes support a range of wildfowl, including several species of national or international importance.

Bridgemarsh Island is within the SSSI, this site provides a breeding refuge for a large number of wildfowl and waders. There is also a black-headed gull colony on the island.

The site contains a number of nationally scarce coastal plants and a number of rare invertebrate species.

Treatment

Oil must be prevented from entering areas of saltmarsh. Any oil which does become trapped on the saltmarsh should be left to degrade naturally and become covered by further deposits.

Explore the possibility of using booms to protect certain areas.

No dispersants to be used without prior consultation with NCC.

Access

Road access at Creeksea, Althorne, North Fambridge, Brandy Hole and next to Paglersham Creek.

Potential Disposal Site

The County Waste Disposal Officer will be responsible for the disposal of all oily waste collected from the beaches.

The NCC should be consulted if waste disposal sites other than those included in the County Plan

Notes

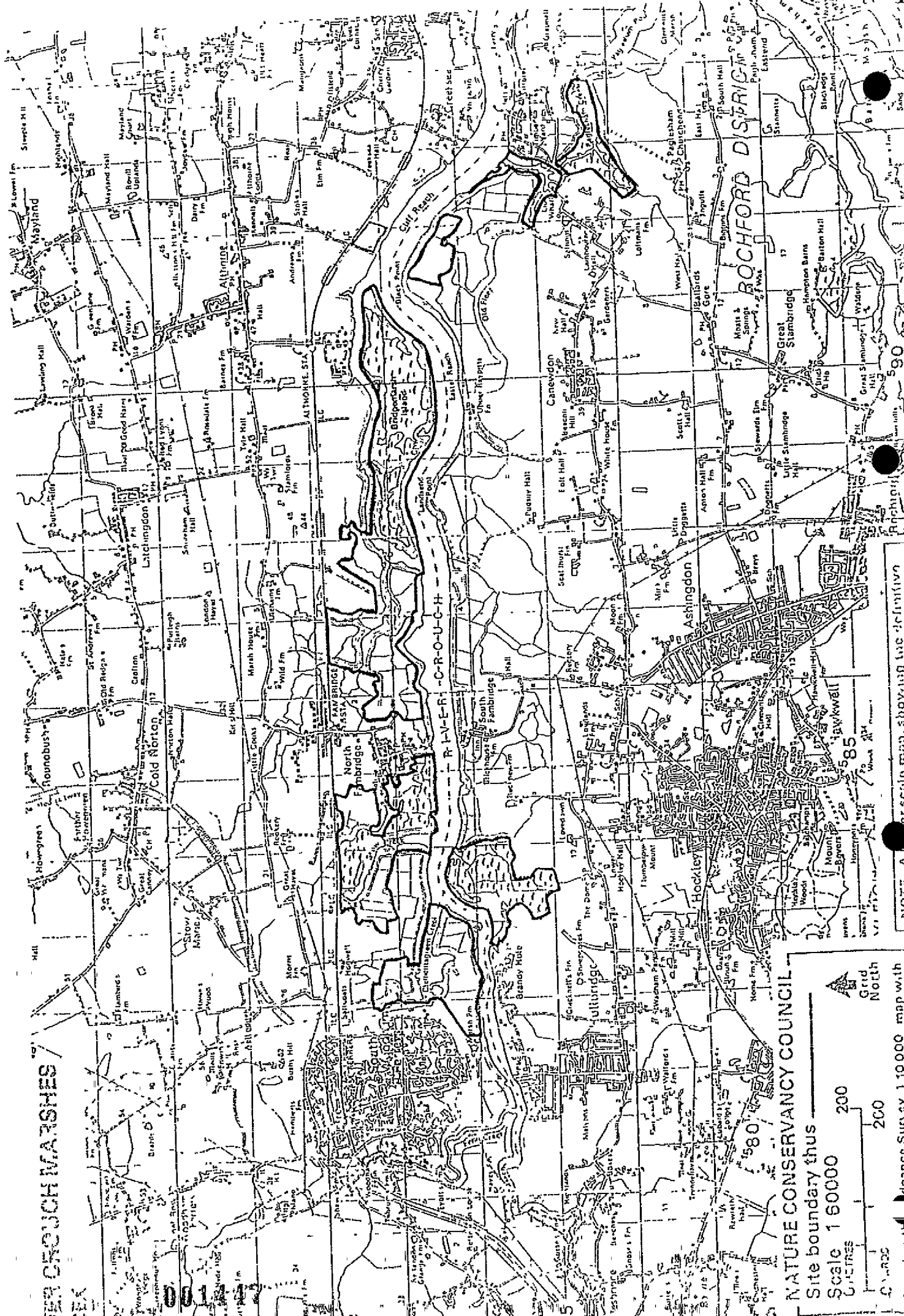
Additional NCC information

Reference

SSI Notification Document (Nature Conservancy Council, 1984)

001446

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VER CROUCH MARSHES
SEX

NATURE CONSERVANCY COUNCIL
 Site boundary thus
 Scale 1:60,000
 G.M.S. 200
 200
 Based on Ordnance Survey 1:10,000 map with
 Grid North
 1948

NOTE: A for scale map, showing the definitive

ROCHFORD DISTRICT

ROCHFORD DISTRICT COUNCIL

POLICY & RESOURCES COMMITTEE - 26TH NOVEMBER 1991

MINUTES OF THE ROCHFORD DISTRICT & HAWKWELL PARISH JOINT PANEL OF MEMBERS

At a Meeting held on 13th November 1991

Present:

For Rochford District Council

Councillors Mrs. V.J. Arnold, C.I. Black, R.H. Boyd, Mrs. J. Fawell, T. Fawell, D.R. Helson and D.A. Weir.

For Hawkwell Parish Council

Councillors I. Foster, B. Harwood, R. Janes, V. Leach, W. Royer, K. Saunders, Mrs. C. Warren and Mrs. M. Weir.

Apologies: Councillors D. Chambers, M J. Handford and R.E. Vingoe.

Visiting: Councillors Mrs. H.L.A. Glynn and S.A. Skinner

4. APPOINTMENT OF CHAIRMAN

Resolved that Councillor D.R. Helson be appointed Chairman of the Joint Panel for the remainder of the municipal year.

5. MINUTES

The Minutes of the Meeting held on 28th January 1991 were agreed as a correct record.

6. SPENCERS NURSERIES OPEN SPACE SITE

The Chairman of the Panel stated that he had discussed possible terms with the Chief Executive (Designate) and that he was hopeful that the Parish would find them acceptable.

The Chief Executive (Designate) advised Members that the District Council's budget position was far more parlous than had been the case at the previous Meeting. Whereas hitherto capping had not applied to local authorities whose budget fell below £15million, it was now foreseen that the removal of the de minimus limit would necessitate stringent economies. It was clear therefore that the District Council would not be able to make any investment in the scheme to develop the site.

In considering the transfer of land to the Parish Council it had been borne in mind that to require payment at market level would reduce the funds available for development and examples of the sums involved were given. Endeavours had been made therefore to identify a proper basis on which concessionary terms could be offered. In discussing the matter with the DoE they had drawn attention to the fact that there was authority under Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 for the Council to grant a long lease of the site to the Parish Council for use as a public park and recreation ground and there was case law to support the use of those powers.

W. J. Black

001448

It was accordingly proposed that a 125 year lease should be drawn up for that purpose at a peppercorn rental, the terms to include:-

- (i) the Parish Council to be responsible for the rent and rates etc ,
- (ii) the terms of the existing conveyance to continue to be observed,
- (iii) the property to be properly managed,
- (iv) the site to be laid out within a reasonable time,
- (v) no commercial activities to be undertaken or buildings erected without the Council's permission,
- (vi) the Council to be indemnified against claims for damages,
- (vii) there to be no assignment of the land, nuisance to neighbours or disposal of waste.

The lease would contain provision for termination after suitable notice for failure to abide by the conditions in which event payment would be made for any improvements. There would also be a right of way over adjoining Council land which it was clarified would be Clements Hall Way.

The Chief Executive (Designate) then referred to the position of the covenant contained in the 1983 conveyance to the Council. It was accepted that there was little practical difference between 'parkland' and 'playing fields' but that it would be prudent for the Parish Council to be indemnified against the possibility of challenge. The Chief Executive (Designate) was asked to make the necessary arrangements forthwith, with the cost being borne by the Parish Council. Following on from there the Parish Council would need to prepare a scheme as a basis for consultation with local residents prior to submitting a planning application and expertise within the District Council could be made available to them if they so wished.

The Chairman mentioned that care should be exercised not to allow the provision of direct access onto the site from adjoining properties since a prescriptive right could be established over a period of time. The Chief Executive (Designate) said that the problem could be overcome by granting a Licence on an annual basis.

In response to the proposals which had been outlined the Chairman of the Parish Council confirmed that the package would meet their aspirations and he thanked those concerned for the efforts involved in bringing the matter to fruition.

The proposal to grant a lease would be reported to the Policy & Resources Committee on 26th November for ratification and adoption by Council on 3rd December following which details of the scheme could be dealt with by liaison between the two Councils and through the planning process.

Finally it was noted that there might be other opportunities for Parish/District co-operation which could be pursued separately at the appropriate time.

RECOMMENDED That pursuant to the powers contained in Section 19 of the Local Government Miscellaneous Provisions Act 1976 the Solicitor be authorised to lease the site at Spencers Nurseries, Hawkwell to the Hawkwell Parish Council on the foregoing basis and on such other terms and conditions as the Solicitor thinks fit. (20785)(SOL)

001449

W. Smith

ROCHFORD DISTRICT COUNCIL

POLICY & RESOURCES COMMITTEE - 26TH NOVEMBER 1991

MINUTES OF THE GROUP LEADERS PANEL

At a Meeting held on 18th November 1991. Present: Councillors R. H. Boyd, T. Fawell, D. F. Flack, R. E. Vingoe.

Present by invitation: Councillor C. I. Black.

45. APPOINTMENT OF CHAIRMAN

Resolved that Councillor D. F. Flack be appointed Chairman of the Meeting.

46. MINUTES

The Minutes of the Meeting of the Panel held on 14th October were approved as a correct record.

47. AGENDA FOR THE POLICY & RESOURCES COMMITTEE - 26TH NOVEMBER 1991

(a) Committee Minutes - Children's Hospice for the Eastern Region (Minute 570).

The Panel agreed that the most appropriate assistance which the Council could lend to this Appeal would be promote and co-ordinate the campaign for funding within the District under the auspices of the Chairman of the Council.

(b) Budget Strategy 1992/93 (Agenda Item 7).

Members noted the content of replies which had been received on the representations to the Secretary of State for an improvement in the Council's Standard Spending Assessment which gave no reason to hope for additional revenue support. The Panel noted that neither the capping rules or the Standard Spending Assessment had been announced and that until this information was available it was not possible to set a target for the 1992/93 budget or to finalise the negotiations on the reductions necessary in the contract specifications. The latest information was that announcements might be made in the House on 19th November and if this was the case it was still possible for the Management Team to report on a budget target to the Policy & Resources Committee on 26th November.

(c) Delegated powers and Authorities - Parish Meetings (Agenda Item 10(ii)).

The Panel noted that it was the intention of the Director of Development to notify Ward Members of the arrangements for any meetings with Parish Councils on planning matters.

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ROCHFORD DISTRICT COUNCIL

POLICY & RESOURCES COMMITTEE - 26TH NOVEMBER 1991

MINUTES OF THE WHITEHOUSE CHASE PANEL OF MEMBERS

At a Meeting Held on 21st November 1991

Present: Councillors Mrs. J.M. Giles, Mrs. S.J. Lemon, Miss B.G.J. Lovett, C.R. Morgan, S.A. Skinner and S. Tellis.

Apologies: Councillors Mrs. V.J. Arnold and Mrs. E.M. Hart.

Visiting: Councillor R.H. Boyd.

1. APPOINTMENT OF CHAIRMAN

Resolved that Councillor Mrs. S.J. Lemon be appointed Chairman of the Panel for the duration of the Municipal Year.

2. TERMS OF REFERENCE (Minute 536/91)

In noting the terms of reference of the Panel as laid down by the Development Services Committee. Members were mindful that the Health & Housing Services Committee had an interest in the future use of the allotment site and that an exempt report was being made to the next Meeting of the Policy & Resources Committee about the associated acquisition of property.

3. WHITEHOUSE CHASE ALLOTMENT SITE

Background

The Chief Executive (Designate) reminded Members that under the new subsidy rules it was no longer viable for the Council to provide new housing for rent and of the consideration which had been given to formulating an alternative strategy to provide for the social needs rented sector which the private house building market ignored. The outcome was that the Springboard Housing Association had been selected as the best means by which to provide for the future on the basis that the Council would make its housing land bank available to the Association. One of the factors influencing the Council in choosing a single body was that it wanted an Association with a proven local record and a commitment to providing a local management presence which could only be assured if it was justified by the size of the stock.

The Springboard programme had already commenced with the development now under construction at St. Clare's Meadow but it was reliant upon funding provided by the Housing Corporation which was being reduced and was the subject of a separate report to the Policy & Resources Committee. It therefore needed to be established with Springboard whether they could obtain new funding for a development on Whitehouse Chase without diverting resources from Doggetts. It would in any case be important to maintain a dialogue with them in view of their partnership role with the Council.

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In view of the restrictions on the form of development and earlier comments on the possibilities through the District Plan process, an AP scheme in association with Hardwick House and bungalows on the remainder of the site presented the best option as regards the social needs policy and this held the promise of releasing under-occupied family housing for allocation to the homeless - the first priority.

Continuing the the Chief Executive (Designate) said a mixed scheme, part rent and part for sale might have been considered if Housing Corporation funding was not available but the housing market was too depressed for that to have any chance of success at present. The Panel had therefore to remove this uncertainty and had been asked to examine the development options and he saw local consultation as the logical next step thereafter. Finally it had to be borne in mind also that the responsibility for provision of social needs housing could alter dependent on the outcome of the General Election next year and the Council might again be building houses.

The Site

The Director of Development reported on the site with the aid of a viewfoil as follows:-

- (i) that the site measured 1.85 acres and lay within the residential area of Rayleigh close to a main road from which the town centre was accessible by bus
- (ii) that there was already a sheltered AP scheme at the western end of the site
- (iii) that following consultations with the plottolders who were now being relocated at the new Wyburns Farm site the Whitehouse Chase allotment site had been included within the District Plan as an Area of Special Restraint
- (iv) that more recently the District Plan Working Party had identified the site as suitable for release for housing post-1990 with an indicative figure of fifty units based on part use for a sheltered scheme
- (v) that the site was elongated and narrowed down from west to east, that properties backed onto it from Eastwood Road to the north and Daws Heath Road to the south but that they all had long gardens which would enable adequate separation for the purpose of backland development
- (vi) that the western end of the site could sustain a two-storey AP scheme with warden accommodation but that the constraints of proximity to Hardwick House appeared to militate against the provision of 'loft rooms' therein
- (vii) that the narrower eastern end of the site would be appropriate for AP bungalows
- (viii) that the ability to achieve a suitable access was crucial.

The Way Forward

The Panel accepted that the site should be developed with social special needs housing in partnership with Springboard or failing that another Housing Association able to attract additional funding.

The Nature of the Development

Members were mindful that when consultation had taken place on the District Plan it had been envisaged that the site would be suitable for AP development and it was on that basis that there had not been any objection to its inclusion as an Area of Special Restraint. The proposals outlined by the Director of Development were both consistent with the earlier deliberations of the District Plan Working Party and with the expectations of local residents. They would enable the use of this housing site to address the social need for sheltered accommodation for rent by the frail elderly who were increasing as a proportion of the elderly population. The Panel accordingly supported the concept of an AP wardened scheme at the western end either additional to or linked with Hardwick House, and bungalows on the remainder of the site which could also be suitable for disabled persons.

Access into the Site

Members noted that access would need to be to an adoptable standard. There was an access into the allotment site at the eastern end from Whitehouse Chase which was too narrow for vehicular purposes. Hardwick House was accessed off Hardwick Close and that arrangement might with modification also support a second sheltered scheme in isolation but not the remainder of the site where other means would need to be found. The Panel considered that it would be preferable to identify two access points into the site because residents were known to be concerned about traffic volumes -

- (a) one at the western end to be used for the second AP scheme
- (b) as regards a second access Members saw it as preferable that it should be off Daws Heath Road and not Eastwood Road. The Panel considered at length the proposal before the Policy & Resources Committee to acquire one of a pair of semi-detached dwellings for that purpose and whilst unanimously in support asked that discussions should take place with the owner of the adjoining dwelling in order to achieve a mutually acceptable solution.

Public Consultation

The Panel saw the next stage as being a public meeting led by the Chief Executive (Designate) and the Director of Development on the principles involved as outlined above, and that the Panel should meet again prior to the event.

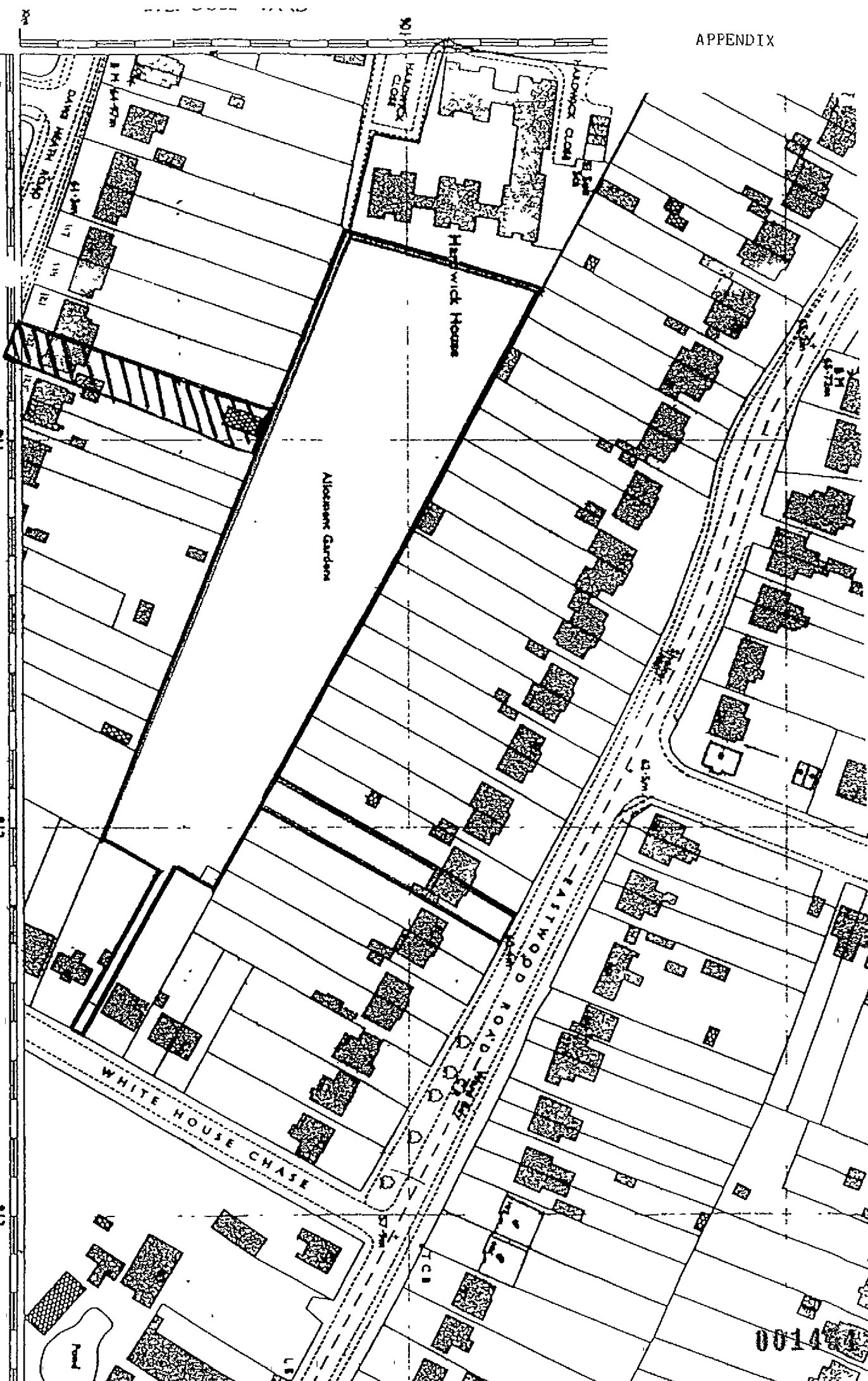
RECOMMENDED (1) That the foregoing criteria be incorporated into a planning brief for the Whitehouse Chase Allotment Site and that arrangements be made for Springboard Housing Association and the local residents to be consulted thereon in advance of a planning application.

(2) That discussions take place with the owner concerned in order to achieve a mutually acceptable access arrangement off Daws Heath Road. (6057) (CE(D)/DD)

4. ACQUISITION OF PROPERTY IN DAWS HEATH ROAD

The Panel did not consider this site should proceed by an equality of exchange unless this would prevent the Council funding the development and asked that the Policy & Resources Committee be so advised.

RECOMMENDED That arrangements be made accordingly (1200) (CE(D)).



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SOUTH EAST ESSEX CO CONST

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Information on this

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DATE: 21/1/91

CHAIRMAN: *(Signature)*