

Development Control Committee – 27 March 2008

Minutes of the meeting of the **Development Control Committee** held on **27 March 2008** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr Mrs H L A Glynn

Cllr Mrs P Aves	Cllr D Merrick
Cllr C I Black	Cllr Mrs J A Mockford
Cllr Mrs L A Butcher	Cllr R A Oatham
Cllr P A Capon	Cllr J M Pullen
Cllr Mrs T J Capon	Cllr C G Seagers
Cllr T G Cutmore	Cllr D G Stansby
Cllr Mrs J Dillnutt	Cllr M G B Starke
Cllr T Livings	Cllr Mrs M J Webster
Cllr C J Lumley	Cllr Mrs B J Wilkins

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs R Brown, M R Carter, J P Cottis, K A Gibbs, K J Gordon, J E Grey, K H Hudson, A J Humphries, Mrs J R Lumley, J R F Mason, J Thomass, P F A Webster and Mrs C A Weston.

OFFICERS PRESENT

S Scrutton	- Head of Planning and Transportation
J Whitlock	- Planning Manager
M Stranks	- Team Leader (North)
N Khan	- Solicitor
S Worthington	- Committee Administrator

PUBLIC SPEAKING

Mrs Bloomfield – for Schedule Item 1
Mr Hill – for Schedule Item 1
Mr Lagden – for Schedule Item 2

126 MINUTES

The Minutes of the meeting held on 26 February 2008 were approved as a correct record and signed by the Chairman.

127 DECLARATIONS OF INTEREST

Cllr T Livings declared a personal interest in item 1 of the Schedule by virtue of Chairmanship of the Governing Body of Down Hall Primary School when the pre-school operated from the primary school's grounds.

Cllr Mrs J Dillnutt declared a prejudicial interest in item R4 of the Schedule by virtue of living directly opposite the Asda store, and left the Chamber during

discussion of that item.

128 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS / ITEMS REFERRED FROM THE WEEKLY LIST

The Committee considered the schedule of development applications, together with items 08/00079/ADV and 08/00020/OUT, which had been referred from the Weekly List.

Item 1 – 08/00039/FUL – Scout Hall, off Ferndale Road, Rayleigh

Proposal – Construct single storey building for use as under fives nursery accommodation.

Mindful of officers' recommendation for refusal, Members nevertheless considered that the application should be approved, as it was a facility that met proven local need and would, in addition, provide a community facility that would benefit the young children of the District. The pre-school had operated on the same site for a period of 19 years and, as such, there were special circumstances to justify permitting development within this Green Belt location.

It was, however, emphasised that any approval given should be subject to a condition that there be no weekend or evening use of the building.

Resolved

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

- 1 SC4B Standard Time Limit
- 2 SC14 Materials to be used
- 3 SC38 The use of the building hereby approved shall be limited to day time use weekdays and shall not be used after 1800 hours or before 0800 hours on any day Monday to Friday inclusive, nor at any time during Saturday or Sunday in any week.

REASON : To enable the Local Planning Authority to retain adequate control over such hours of use in the interests of residential amenity to nearby residential occupiers.

- 4 SC28 Use Class Restriction

REASON FOR DECISION

The Local Planning Authority considers the proven local need, community benefit for young children of the district, together with the fact that the pre-school operated from a similar building on the site for a period of some 19

years, constitutes very special circumstances to justify permitting this proposal in the Green Belt.

Item 2 – 08/00125/FUL – 1 and 3 Pearsons Avenue, Rayleigh

Proposal – Demolish existing dwellings (1 and 3) and construct two storey building to provide 8 no. restricted age flats with access, parking and amenity areas, cycle store and bin store.

Mindful of officers' recommendation for approval, Members nevertheless considered that the application be refused on the grounds that the proposed 2-storey building was of a scale and bulk that contrasted unfavourably with the modest properties within the existing street scene and would result in a loss of residential amenity to the occupants of No. 5 Pearsons Avenue.

Resolved

That the application be refused for the following reasons:-

- 1 The proposal, by way of the two storey form, bulk, mass and depth of the building and density of development proposed, in contrast to the modest scale and proportions of the adjoining bungalows neighbouring the site, would prove out of character with the appearance of the street and overbearing in relationship to those adjoining bungalows to the detriment of the established character and appearance of the street scene.
- 2 The proposal would result in an unreasonable level of overlooking towards the dwelling at No. 5 Pearsons Avenue with resultant detriment to residential amenity of the occupiers thereof.

Item 3 – 08/00064/FUL – Belchamps Camp, Holyoak Lane, Hawkwell

(Note: Cllr Mrs H L A Glynn declared a personal interest in this item by virtue of membership of Hawkwell Parish Council).

Proposal – Single storey pitched roofed extension to provide dormitory to 'Kath Batts' building with access ramp.

Resolved

That the application be approved, subject to the conditions outlined in the schedule. (HPT)

Item R4 – 08/00079/ADV – Former Park School Site, Rawreth Lane, Rayleigh

Proposal – Retrospective application for 2 no. non illuminated twin post totem signs located on Rawreth Lane frontage land.

Members expressed concern that these signs might in future be used to site mobile telephone equipment.

It was further observed that there would be merit in asking County Highways to erect a sign in Rawreth Lane signposting Rayleigh Leisure Centre and the new primary school.

Resolved

That the application be approved, subject to the conditions outlined in the Schedule and subject to an informative that the signs not be used in future for the siting of mobile telephone equipment. (HPT)

Item R5 – 08/00020/OUT – 138 Down Hall Road, Rayleigh

Proposal – Single storey rear extension, two storey front and side extension, new roof with habitable accommodation within and convert to 4 no. self contained one-bedroomed flats with car parking to rear.

Mindful of officers' recommendation for approval, Members nevertheless considered that the proposal should be refused on the grounds that the site failed to provide adequate amenity space, in contravention of the Council's guidance.

Resolved

That the application be refused for the following reason:-

The proposal fails to provide sufficient private amenity space to serve the needs of future occupiers of the development. The layout submitted would achieve a private amenity area of 87.5 square metres. Council guidance would require a minimum of 25 square metres per flat created. If allowed, the proposed development would lack sufficient space to provide limited outdoor recreation, outside drying and outside storage for future residents of the development detrimental to the expectations those residents ought reasonably expect to enjoy and would create additional pressure upon that space made available. As such, the proposal would be contrary to part (v) to Policy HP6 to the Council's adopted Local Plan (2006) and Supplementary Planning Document 2 Housing Design (January 2007).

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The meeting closed at 9.30 pm.

Chairman

Date

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