

Development Committee – 29 January 2015

Minutes of the meeting of the Development Committee held on **29 January 2015**
when there were present:-

Chairman: Cllr P A Capon
Vice-Chairman: Cllr C G Seagers

Cllr C I Black	Cllr J C Lawmon
Cllr J C Burton	Cllr Mrs G A Lucas-Gill
Cllr Mrs L A Butcher	Cllr Mrs J R Lumley
Cllr Mrs T J Capon	Cllr M Maddocks
Cllr T G Cutmore	Cllr Mrs J E McPherson
Cllr R R Dray	Cllr D Merrick
Cllr Mrs H L A Glynn	Cllr Mrs J A Mockford
Cllr K J Gordon	Cllr T E Mountain
Cllr J D Griffin	Cllr R A Oatham
Cllr Mrs A V Hale	Cllr Mrs C E Roe
Cllr J Hayter	Cllr Mrs M H Spencer
Cllr B T Hazlewood	Cllr D J Sperring
Cllr N J Hookway	Cllr M J Steptoe
Cllr Mrs D Hoy	Cllr I H Ward
Cllr M Hoy	Cllr Mrs B J Wilkins
Cllr K H Hudson	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs M R Carter, J H Gibson, Mrs C M Mason, J R F Mason and S P Smith.

OFFICERS PRESENT

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

PUBLIC SPEAKERS

R Green	- for item 6
Rt Hon M Francois MP	- for item 4
Cllr A Matthews	- for item 4
Cllr D Mercer	- for item 4
I Mitchell	- for item 4
S Sterry	- for item 7(1)
Cllr L Street	- for item 7(1)

11 MINUTES

The Minutes of the meeting held on 18 December 2014 were approved as a correct record and signed by the Chairman.

12 DECLARATIONS OF INTEREST

Cllrs J C Burton, R R Dray, J L Lawmon, Mrs J R Lumley, R A Oatham, Mrs C E Roe, Mrs M H Spencer, D J Sperring and I H Ward each declared a non pecuniary interest in item 4 of the Agenda by virtue of membership of Rayleigh Town Council.

Cllrs Mrs T J Capon, M Hoy, Mrs J E McPherson and Mrs J A Mockford each declared a non pecuniary interest in item 4 of the Agenda by virtue of membership of the Rochford Housing Association Board.

Cllr M J Steptoe declared a non pecuniary interest in item 7(1) of the Agenda by virtue of membership of Barling Magna Parish Council.

Cllr Mrs J E McPherson declared a non pecuniary interest in item 7(2) of the Agenda by virtue of her neighbour being the applicant.

13 14/00627/OUT – LAND NORTH OF LONDON ROAD AND SOUTH OF RAWRETH LANE AND WEST OF RAWRETH INDUSTRIAL ESTATE, RAWRETH LANE, RAYLEIGH

The Committee considered an outline planning application (with all matters reserved apart from access) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works and primary school, provision of non-residential floor space to part of the site, uses including any of the following: use class A1 (retail), A3 (food and drink), A4 (drinking establishments), C2 (residential institutions), D1A (health or medical centre) or D1B (crèche, day nursery or day centre).

Mindful of officers' recommendation to approve the outline application, Members nevertheless considered that the application should be refused on the grounds of sports pitch provision, inadequacy of flood risk assessment, lack of a firm guarantee that there will be improvements to the Rawreth Lane/Hullbridge Road junction, loss of residential amenity due to traffic congestion and that there is no physical capacity to extend secondary school provision at either of the Rayleigh schools.

On a requisition pursuant to Council Procedure Rule 17.4, a recorded vote was taken on a motion to refuse the application, as follows:-

For (23): Cllrs C I Black, J C Burton, P A Capon, Mrs T J Capon, T G Cutmore, R R Dray, J D Griffin, Mrs A V Hale, J Hayter, N J Hookway, Mrs D Hoy, M Hoy, K H Hudson, J L Lawmon,

Mrs J R Lumley, D Merrick, Mrs J A Mockford, T E Mountain, R A Oatham, Mrs C E Roe, Mrs M H Spencer, D J Sperring, I H Ward

Against (10): Mrs L A Butcher, Mrs H L A Glynn, K J Gordon, B T Hazlewood, Mrs G A Lucas-Gill, M Maddocks, Mrs J E McPherson, C G Seagers, M J Steptoe, Mrs B J Wilkins

The motion was declared carried and it was:-

Resolved

That the application be refused for the following reasons:-

1. The National Planning Policy Framework (NPPF) requires provision of outdoor sports facilities to be based on robust and up-to-date assessment of need. The proposed development would provide inadequate outdoor sports provision which would not accord with the NPPF requirements for such.
2. The submitted Flood Risk Assessment is inadequate as it lacks information relating to and fails to take account of recent flooding events that have taken place downstream in Church Road, Rawreth. The assessment also does not properly take account of the impact of the removal of a section of culvert. Appropriate arrangements for the maintenance of sustainable urban drainage features have not been demonstrated. It has not therefore been demonstrated that the proposed development would adequately address the risk of flooding from and to the proposed development.
3. The proposed development provides no certainty that highway works to improve the Rawreth Lane/Hullbridge Road junction, which are required to mitigate the impact from the development, would be delivered. Without appropriate mitigation to this junction the development would increase congestion and result in a loss of residential amenity.
4. There is a lack of physical space to expand existing secondary schools in Rayleigh and as a consequence the impact from the development on secondary school provision could not be satisfactorily mitigated.
(HPT)

14 14/00725/FUL – 89 EASTWOOD ROAD, RAYLEIGH

The Committee considered an application for the proposed retention of a relocated cantilever canopy (approximately 1.125m to the south and 700mm to the west and raised by 400mm); and the relocation of a cabin alongside the boundary fence and between canopy supports to provide toilet facilities, office and customer waiting room in connection with the use of part of the site as a car wash.

It was noted that this application was now at appeal as the Council had not determined the application within the prescribed time. The purpose of the report was to obtain Members' view as to the merits of the application in the context of the upcoming appeal.

Members considered that the application should be refused on the grounds that the increased height of the relocated canopy has a detrimental impact on the residential amenity of neighbouring properties.

Resolved

That, in respect of the appeal relating to this application, Members considered that the application should be refused for the following reason:-

1. The proposed siting of the portacabin and the increased height of the canopy would be visually intrusive and detrimental to the appearance of the street, given the prominent corner position of the site. Furthermore, the increased height of the relocated canopy would result in a loss of visual amenity to neighbouring properties and in particular those occupiers to No. 99 Eastwood Road detrimental to the visual amenity those occupiers ought reasonably expect to enjoy. (HPT)

15 14/00821/FUL – FAIRVIEW PLAYING FIELD, VICTORIA ROAD, RAYLEIGH

The Committee considered an application relating to the proposed siting of a container for storage use in connection with the use of part of the pavilion for the running of fitness boot camps.

Resolved

That planning permission be approved, subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) Prior to placement of the container on the site, details of the green colouring of the container shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed, the container shall adhere to this colouring.
- (3) Prior to placement of the container on the site, details of the precise positioning of the container shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed, the container shall be installed in the agreed position.
- (4) The container shall be used solely for storage purposes in association with the use of the pavilion building and Fairview Playing Field by Truedge Fitness Ltd. (formerly Fugl Fitness Ltd.) registered company number 9085448. The container shall be permanently removed from

the site once this operator ceases use of the pavilion building and Fairview Playing Field and the land restored by grass seeding.

- (5) Prior to placement of the container on the site, a scheme of soft landscaping to occur to the southern elevation of the container shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, such soft landscaping shall be implemented in the first planting season following the first use of the container. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.
- (6) Prior to placement of the container on site, a Method Statement (MS) shall be submitted to and agreed in writing by the Local Planning Authority, giving details of how the trees within Fairview Playing Field will be protected from accidental impact damage and soil compaction within the root protection areas adjacent to the proposed route of the delivery vehicle from entering the playing field to the proposed location place. Once agreed, the container shall be placed on the site in accordance with the MS. (HPT)

16 14/00687/FUL – LAND TO THE REAR OF 4 THE EVERGREENS, KIMBERLEY ROAD, LITTLE WAKERING

The Committee considered an application to demolish an existing building and to construct 3 No. four-bedroomed detached houses.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds of inadequate access, inadequate visitor parking, over-intensification of site, and that the proposed housing is too near to the side boundaries.

Resolved

That the application be refused for the following reasons:-

- (1) The proposal fails to demonstrate sufficient provision for visitor parking within the proposed layout. If allowed, the development would result in increased on street parking from visitors to the development leading to visitor vehicles parking either on the access road serving the development or on the streets of Kimberley Road and Little Wakering Road to the detriment of highway safety and the free flow of traffic.
- (2) The access to the site, in close proximity to the junction with Kimberley Road and Little Wakering Road, would be on a dangerous corner, with poor visibility obstructed by the siting and position of a telephone box and bus shelter resulting in there being inadequate visibility to allow for

the safe use of the access proposed for the number and intensity of dwellings proposed.

- 3) The access road would be of insufficient width to allow access for refuse collection vehicles to enter and turn within the site. If allowed, refuse vehicles servicing the development would have to reverse into the site or wait on the highway whilst refuse is collected, causing obstruction to the free flow of traffic to the detriment of highway safety.
- (4) The proposal, by way of the failure of the proposed layout to provide sufficient side space between the dwelling to plot 1 and the site boundary, would result in an over-development of the site lacking suitable side space between the proposed built form and the site boundary to achieve a satisfactory setting for the development proposed and a poor relationship between the buildings proposed and the site surroundings. If allowed, the development would have a mean and cramped appearance to the detriment of the character of the locality in which the site forms part. HPT)

17 14/00807/FUL – LAND REAR OF 28 GREAT EASTERN ROAD, GLADSTONE ROAD, HOCKLEY

The Committee considered an application for the construction of a new 2-bedroom bungalow in the rear garden of 28 Great Eastern Avenue fronting Gladstone Road.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds of inadequate back to back separation between the existing and proposed dwelling, inadequate car parking provision and that the proposed dwelling fails to meet the minimum habitable floor space standards as detailed in policy DM4 of the Development Management Document 2014.

Resolved

That the application be refused for the following reasons:-

- (1) The proposal, by way of the close proximity between the rear wall of the bungalow proposed and that to the existing dwelling at No. 28 Great Eastern Road, would give rise to a poor relationship between the existing dwelling and the bungalow proposed, giving rise to overlooking and loss of privacy between occupiers of those dwellings to the detriment of the amenity those future occupiers of both dwellings ought reasonably expect to enjoy.
- (2) The proposal, by way of the inadequate size of the proposed integral garage and the close proximity of the bungalow proposed to the skewing site frontage, would lack sufficient space within the site to provide for the required two off-street car parking spaces to the preferred size clear of the street in accordance with the Council's

adopted Standards. If allowed, the development would result in increased pressure for on street parking to the detriment of highway safety and the free flow of traffic and to the detriment of the character and appearance of the street scene more generally.

- (3) The proposed bungalow would fail to provide a dwelling sufficient in habitable floor space to provide suitable and comfortable accommodation for modern living for the future occupiers of the bungalow proposed. The proposal would provide a habitable floor space of only 62 square metres and less than the minimum 77 square metres required for a two-bedroomed house, as set out at table 3 to policy DM4 of the Council's Development Management Document (adopted 16 December 2014). If allowed, the proposed bungalow would result in a sub standard form of development with rooms of inadequate size and ceiling height to provide future long term adaptability and flexibility failing the long term needs of the resident population. (HPT)

The meeting closed at 10.22 pm.

Chairman

Date

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