

Development Control Committee – 17 December 2009

Minutes of the meeting of the **Development Control Committee** held on **17 December 2009** when there were present:-

Chairman: Cllr S P Smith

Cllr C I Black	Cllr D Merrick
Cllr J P Cottis	Cllr Mrs J A Mockford
Cllr T G Cutmore	Cllr R A Oatham
Cllr Mrs J Dillnutt	Cllr C G Seagers
Cllr Mrs H L A Glynn	Cllr D G Stansby
Cllr K J Gordon	Cllr M G B Starke
Cllr J E Grey	Cllr M J Steptoe
Cllr K H Hudson	Cllr J Thomass
Cllr Mrs G A Lucas-Gill	Cllr Mrs M J Webster
Cllr C J Lumley	Cllr P F A Webster
Cllr Mrs J R Lumley	Cllr Mrs B J Wilkins
Cllr M Maddocks	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs P Aves, Mrs L A Butcher, P A Capon, Mrs T J Capon, M R Carter, T E Goodwin, A J Humphries, T Livings, J R F Mason, J M Pullen, P R Robinson and Mrs C A Weston.

OFFICERS PRESENT

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

PUBLIC SPEAKERS

Mr M Bull	- Schedule item 1
-----------	-------------------

337 MINUTES

The Minutes of the meeting held on 3 December 2009 were approved as a correct record and signed by the Chairman.

338 DECLARATIONS OF INTEREST

Cllrs C I Black, Mrs H L A Glynn and R A Oatham each declared a personal interest in item 1 of the schedule by virtue of being acquainted in the past with Mr R Boyd. Cllr C G Seagers declared a personal interest in the same item by virtue of being acquainted with Mr James; Cllr D G Stansby also declared a personal interest in this item by virtue of being acquainted with Mr J Gibson.

Cllr Mrs M J Webster declared a prejudicial interest in item 1 of the schedule by virtue of her work at the County Council relating to disabilities and left the Chamber during discussion of that item.

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

The Committee considered the schedule of development applications, together with items 09/00533/FUL and 09/00577/FUL, which had been referred from the Weekly List.

Item 1 – 09/00595/FUL – Land rear of 28 – 32 Rocheway, Rochford

Proposal – Application to remove condition 15 of planning permission 08/00241/FUL dated 11 June 2008.

Resolved

That the application be refused for the following reason:-

- 1 The site is located within an area of Metropolitan Green Belt, as identified in the Rochford District Replacement Local Plan (2006), as saved by Direction of the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1 (3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

Within the Green Belt the construction of new buildings is inappropriate development and harmful to the character and openness afforded the Green Belt. The building to which this application relates was allowed in very special circumstances, as demonstrated by the applicant in the need for the applicant, amongst other things, to be located alongside a mainstream educational establishment and the necessary synergy with the existing college facilities. The proposal to remove the condition limiting the use of all or part of the building to future users other than the applicant on the basis of funding and operational constraints does not amount to very special circumstances that now justify the use of that part or parts of the building against established Green Belt policy. If allowed, the proposed alternative agreement would prove impractical and would avoid the proper consideration of the merits of a particular user that ought to be considered formally by way of a variation to the existing condition. (HPT)

Item R2 – 09/00533/FUL – Glenmore House, East Street, Rochford

Proposal – Remove existing timber frame windows and doors and provide aluminium framed windows and doors.

Resolved

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

- 1 SC4B Time Limits Full - Standard
- 2 The windows hereby approved shall be implemented in accordance with the details submitted in support of the application and to type Smarts Alitherm 47, outer frame ETC 018, Vent ETC 022, Mullion ETC 031N and 28mm glazing, as per the submitted application unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the submitted details in support of the application, no toughened glass shall be used in the implementation of the development hereby approved unless as may be agreed in writing following the submission of details to the Local Planning Authority. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority. (HPT)

Item R3 – 09/00577/FUL – 17 North Street, Rochford

Proposal – Retention of first floor rear door and Juliet balcony.

Mindful of officers' recommendation for approval, Members nevertheless considered that the item should be refused on the grounds that the Upvc door and windows were out of character in the Conservation Area and that the door could give rise to overlooking.

Resolved

That the application be refused for the following reasons:-

- 1 The visual mass and bulk of the Upvc door at first floor level on the building and the appearance of the materials used are out of character within the Rochford Conservation Area contrary to the Replacement Local Plan saved policies BC1.
- 2 The door would give access to the roof of the rear extension to the building resulting in overlooking of private garden areas in the immediate vicinity and such access could not be sufficiently controlled by the provision of the Juliet balcony. (HPT)

The meeting closed at 8.35 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 546366.