

**ITEM 6 - APPLICATION NO. 23/00358/FUL – LAND
OPPOSITE SEARLES YARD, TRENDERS AVENUE,
RAYLEIGH**

1. Additional Neighbour Representations

Following publication of the officer report further representations were submitted by the residents of Trenders Avenue in response to the report. This response raised a number of concerns that the residents had with the contents of the application and the officer report. Those comments which are material to the planning application are summarised below:-

- The development would affect the character and residential amenity and would not be in keeping with the road. This would be contrary to the decision to approve the application at Heron Stream Place.
- There is a lack of evidence to substantiate the very special circumstances.
- There are pitches available in the locality and Essex that the applicants could reside at. There is a lack of evidence to substantiate the applicant's current position.
- The report from Place Services is based on 1 static and 1 mobile caravan rather than the proposal for 2 static and 2 mobile caravans.
- The development is within very close proximity to residential dwellings.
- The development would increase traffic and would have an impact on the road.

In addition, the residents raised concern with points in the officer report that they considered to be inaccurate. Officers have reviewed these comments and consider that these statements remain correct. Those points that will be clarified below are as follows:-

- The officer report states the application site is The Stables, also known as Alexandra Villa. This is not the case; Alexandra Villa is the prior name of Mill Cottage.
- The officer report states that to the north of the site is a property known as The Barn (known as Tryndehayes). This is not the case; this is South Barn - Tryndehayes is a different property.
- The officer report states "the occupants of the site". This is not the case as there are no occupants.

2. Officer Response to the Additional Neighbour Representations

The comments raised as concerns within the statement are largely addressed within the officer report. The comments raised are mostly points of disagreement with the conclusions of the report, as opposed to new considerations that need to be addressed.

Whilst there may be pitches available within Essex, every local authority has a requirement to provide accommodation for the Gypsy and Traveller community. Therefore availability elsewhere does not negate the Council's requirement to facilitate this.

Officers have sought clarification from the Place Services Historic Environment Officer who has advised that, upon revisiting the scheme, they do not see any harm upon the setting of the Grade II listed building for two mobile homes and two touring caravans. The officer sought confirmation from senior members of their team who also agreed with their view.

To clarify those points that were considered to be inaccurate: the names of dwellings were extracted from an OS map but nevertheless the report correctly identifies the location of nearby dwellings. In addition, officers confirm that there are no current occupants of the site.

3. Additional Information Regarding the Applicant's Ownership

A copy of the register of title for the application site has been submitted to officers. This confirms that the applicant is the owner of the application site, despite an alternative owner being listed on the application form.

In addition, the title states that the applicant is the owner of a pitch in Wickford.

4. Officer Response to the Register of Title Document

Whilst there is a requirement on the application form to provide details of the site ownership the reason for stating the owner is so that the applicant declares they have made the owner aware of the application. Although we now know the owner details are different to that on the application form, the applicant is in fact the owner and the applicant so there would be no legislative issue in determining this application.

The address that this title provides in Wickford does not benefit from planning permission. A temporary five-year permission was granted in 2015 but this has expired and therefore the site is unlawful. Furthermore, this permission was a personal permission and Mr Scott was not named as a person that could occupy the site. Mr Scott is now seeking permission for he and his family to live lawfully on the application site.

5. Agent Response to the Register of Title Document

The agent for the applicant has confirmed that “the correspondence address provided by the applicant is their relative’s temporary abode where he and his family are currently living as guests of that relative. The applicant cannot reasonably be expected to live with their relatives in perpetuity, particularly given the precarity of the permission on that arrangement.”