

## Development Committee – 29 March 2011

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Minutes of the meeting of the **Development Committee** held on **29 March 2011** when there were present:-

Vice-Chairman: Cllr D Merrick (in the chair)

Cllr C I Black	Cllr M Maddocks
Cllr M R Carter	Cllr Mrs J E McPherson
Cllr J P Cottis	Cllr R A Oatham
Cllr T G Cutmore	Cllr A C Priest
Cllr Mrs H L A Glynn	Cllr C G Seagers
Cllr K J Gordon	Cllr Mrs M J Webster
Cllr M Hoy	Cllr P F A Webster
Cllr Mrs G A Lucas-Gill	Cllr Mrs B J Wilkins
Cllr C J Lumley	

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs P Aves, Mrs L A Butcher, P A Capon, Mrs T J Capon, Mrs L M Cox, J E Grey, K H Hudson, T Livings, Mrs J R Lumley, J R F Mason, Mrs J A Mockford, S P Smith, D G Stansby and Mrs C A Weston.

### **OFFICERS PRESENT**

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

### **90 MINUTES**

The Minutes of the meeting held on 24 February 2011 were approved as a correct record and signed by the Chairman.

### **91 DECLARATIONS OF INTEREST**

Cllr Mrs G A Lucas-Gill declared a personal interest in item 1 of the schedule by virtue of having just sold a business within Rochford town centre.

### **92 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS / ITEMS REFERRED FROM THE WEEKLY LIST**

The Committee considered the schedule of development applications.

#### **Item 1 – 10/00822/FUL – Unit 1, 68 – 72 West Street, Rochford**

**Proposal** - Change of use of car show room to use class A3/A5 fast food take-away restaurant and provide new customer entrance in shop front.

Mindful of officers' recommendation for approval, Members nevertheless considered that the application should be refused on the grounds of loss of amenity to neighbouring properties as a result of the proposed external extraction system, no clear plan for the management of commercial waste, no defined area for deliveries to the proposed business and the proposed hours of operation.

### **Resolved**

That the application be refused for the following reasons:-

1. The external extract flue duct proposed to exit the rear wall of the building and direct downwards onto the rear yard area between the existing showroom and the workshops at the rear would discharge into an area that is not within the applicant's control during the long opening hours and will, by way of noise and fumes associated with the use proposed, result in a loss of amenity to neighbouring commercial and residential occupiers close to the site. This would prove detrimental to the expectations of amenity that those adjoining residential and commercial occupiers ought reasonably expect to enjoy..
2. The proposal fails to demonstrate the provision of adequate facilities for storing commercial waste that this business will generate such as food waste and packaging associated with the preparation and consumption of food on the site. There is no area outside the application building that is under the applicant's control that could be used for the storage of waste bins. If allowed, the proposal could give rise to the provision of waste bins and general storage to the front forecourt areas fronting West Street and Union Lane to the detriment of the visual character and appearance of the street scene and the Rochford Conservation Area more generally.
3. The proposal fails to demonstrate the provision of an area outside the application building that can be used for the safe unloading of deliveries to serve the use proposed. If allowed, the proposal would result in cross pavement servicing from the highway to a busy part of the street where there is two way traffic and adjoining the junction of West Street with Union Lane and which would cause obstruction to the pavement proving detrimental to pedestrian and highway safety.
4. The proposal, by way of the opening hours of the business, would result in noise and disturbance late into the night to the detriment of the amenity residents in close proximity to the application site ought reasonably expect to enjoy. (HPT)

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The meeting closed at 8.35 pm.

Chairman .....

Date .....

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