



**Rochford District
Council**

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**Rochford District
Council**

ROCHFORD DISTRICT COUNCIL MINUTES

1996

December (Part 1)

ROCHFORD DISTRICT COUNCIL

Minutes of the Finance and General Purposes Committee

At a Meeting held on 3rd December 1996. Present, Councillors Mrs J Helson (Chairman), D E. Barnes, P A. Beckers, C I Black, D F. Flack, G Fox, Mrs J M Giles, Mrs H L.A. Glynn, N Harris, Mrs E M. Hart, Mrs M. Hunnable, Mrs. S.J. Lemon, C R Morgan, Mrs. P M.V. Pearse, T.A. Powell, Mrs. W M Stevenson and D A. Weir

Apologies: Councillors M.J Handford and R.E. Vingoe.

Substitute: Councillor V C Howlett.

Visiting: Councillor D.M Ford

567. **MINUTES**

Resolved that the Minutes of the Meeting of 8th October 1996 be approved as a correct record and signed by the Chairman.

568. **MEMBERS' INTERESTS**

Councillors Mrs J. Helson and T.A Powell declared pecuniary interests in the item on the Bank Tender (Minute 583) by virtue of spouse employment and own employment respectively and took no part in the decision thereon.

569. **MONITORING OF PERFORMANCE**

Finance & General Purposes Committee - Meetings of 4th June and 16th July 1996.

The Committee was satisfied that all necessary action had been taken Minutes 395/96, 397/96, 430(B)/95, 93(A)/95, 303/95, 102/96 and 80(C)(4)/93 were carried forward

570 **MINUTES OF COMMITTEES**

The Committee considered the recommendations of the Parent Committees

| Committee | Date | Minute Nos |
|--------------------|--------------------|------------|
| Community Services | 12th November 1996 | 527 - 548 |

MINUTE 532

SECTION 2 (Allocation of Housing Accommodation - Practical & Policy Implications)

Resolved (1) that the duty to meet the requirements of Part VI Housing Act 1996 relating to the allocation of housing accommodation to applicants and transferring tenants be delegated to:

Post CH2 Housing Resources Manager
Post CH5 Tenancy Services Manager
Post CH8 Supported Housing Manager

With regard to the following Recommendation, applicants would retain their right of appeal to a Panel of Members.

(2) That the duty to undertake review of decisions as required by Part VI Housing Act 1996 be delegated to:

Post CH1 Director of Community Services

N B. The Chief Executive has a general authority to investigate any complaint and this would be unaffected by this or any other decision. (See Delegations to Officers Page 5 paragraph 16).

It was further:-

RECOMMENDED (1) That the Council adopts the Housing Points Scheme as the method of meeting the requirements of Part VI Housing Act 1996 (with the addition of Points for lack of, or inability to cope with a garden and for the remoteness of a location)

(2) That time spent on the Register be used to determine priority only between applicants with the same number of points.

(3) That the Council continues to assist Elderly Relatives from outside the area in accordance with Council policy.

(4) That the Director of Social Services be asked to accept responsibility to recommend urgent rehousing under Section 167 and that this responsibility should not be delegated to any officer below the level of County Specialist Manager

(5) That households with incomes below £15,000 for a couple and more for families with children be considered low paid for the purposes of the points scheme. This sum to be amended annually in line with general and house price inflation.

(6) (i) That the Housing and Homelessness Sub-Committee review the implementation of Part VI Housing Act 1996 in May/June 1997.

(ii) That the Director of Community Services draws to Members' attention problems/anomalies that arise from the implementation of Part VI Housing Act 1996 at any time.

(7) That prosecution under Section 171 Housing Act 1996 be authorised by the Community Services Committee.

SECTION 3 (Housing Act 1996 - Homelessness)

Resolved that the following staff be delegated authority to deal with homelessness under the terms of Part VII Housing Act 1996 and the Code of Guidance.

Post CH2 Housing Resources Manager
Post CH5 Tenancy Services Manager
Post CH8 Supported Housing Manager
Post CH6 Housing Officer

It was further:-

RECOMMENDED (1) That the Director of Community Services be authorised to review decisions under the terms of Part VII Housing Act 1996 and to act thereon.

(2) That Members receive training on the Housing Act 1996

(3) That all Licensees of temporary accommodation be offered secure tenancies prior to the commencement of the Act

(4) (i) That the action of the Director of Community Services in mothballing Hatfield House be confirmed.

(ii) That the Director of Community Services reports back on the future of Hatfield House to the meeting of Community Services on 4th March, 1997

(5) That the Director of Community Services be authorised to seek Secretary of State approval under Section 207 to modify the provisions of Part VII of the Housing Act 1996 in respect of:

- a) Elderly people
- b) People with physical disabilities
- c) People with learning difficulties
- d) People suffering from mental illness
- e) Families with children below age 3
- f) Families with 4 children or more

(6) That the Director of Community Services prepares a report on the options for using Registered Social Landlords and private landlords to temporarily house the homeless.

SECTION 4 (Housing Act 1996 - Part VII - Section 179 - Provision of Housing Advice)

RECOMMENDED That approval be given to the strategy for providing Housing Advice

SECTION 5 (Housing Act 1996 - Parts VI & VII - Manpower Implications)

Resolved (1) that approval be given in principle to the appointment of a Lettings Assistant/Housing Adviser.

(2) that the Corporate Resources Sub-Committee be asked to consider authorising the above post and the funding proportionally from the Housing Revenue Account and General Fund.

(3) that the Director of Community Services monitors workloads and reports back on staffing requirements as the occasion arises

MINUTE 535 - Home Energy Conservation Act 1995 - Progress Report (Minute 364/96)

Resolved that the provision of £1,000 in the draft 1997/98 estimates for consultancy fees in connection with home energy efficiency be considered in the context of provision for the Agenda 21 initiative.

MINUTE 538 - Summer Holiday Playschemes (Minute 652/95)

Resolved that the sum of £7,900 be included within the draft budget estimates for 1997/98 for the provision of summer holiday playschemes. (33556) (DCOMS,DF)

MINUTE 539 - Use of Rochford Reservoir

RECOMMENDED (1) That the following policy for small scale private events held at Council buildings and facilities be agreed -

(i) The organiser to hold an insurance policy to cover Public Liability risks to the level as agreed by the Director of Finance

(ii) Any request which, in the opinion of the Council, may be contrary to decency or good manners or likely to lead to disorder will not be allowed

(iii) The organiser is responsible for ensuring during any function that no disorderly, dangerous or improper conduct, or conduct which may endanger Council property occurs.

(iv) The organiser will be liable for any costs incurred by the Council.

(v) No area of the open space will be enclosed in any way to restrict access to the general public and no charges levied.

(vi) No activity likely to cause nuisance or annoyance to neighbouring premises or other users of the public open space will be permitted.

(vii) No activity shall involve more than 100 people.

(viii) The organiser is required to obtain any statutory licences, consents or other permission that may be required

(2) That the request for permission for a Humanist Ceremony at the Rochford Reservoir be granted.

(3) That the Property Services Manager be authorised to process requests subject to the above policy. (133)(PSM)

Transportation and 21st November 1996 549 - 566
Environmental Services

MINUTE 551 - Minutes of the Transportation Sub-Committee

Hackney Carriage Stand at Rochford Market Square - Additional stand within Rochford Town Centre - Minute 14

The recommendation of the Service Committee on this matter would be considered by Full Council.

An additional recommendation was proposed by Councillor D E. Barnes, seconded by Councillor T A. Powell and agreed by the Committee:-

RECOMMENDED (1) That Officers prepare a report on the viability of Rochford District Council managing the Hackney Carriage Licence scheme.

(2) That the report be submitted to the Transportation Sub-Committee for consideration in the 1997/98 revenue budget.

Car Park Signage and Improvement Works - Minute 17

Resolved that the proposed Rayleigh Market car park scheme be referred to the Finance and General Purposes Committee (DE)

On dealing with Minute 17 the Chairman confirmed that, pursuant to Standing Order 26.2, she would admit the latest report of the Director of Environment on proposed improvements to Rayleigh Market Car Park as a matter of urgency. Members agreed that it would be appropriate to consider the report at this stage in proceedings and:-

Resolved That the proposed Rayleigh Market Car Park Scheme, as detailed in the report of the Director of Environment, be approved and that, pursuant to Paragraph 3 of the Town and Country Planning General Regulations 1992, permission be sought for works for the Rayleigh Market Car Park. (DE)

MINUTE 553 - A130 By Pass - Stage 2 (A132-A127) (Minute 454/96)

RECOMMENDED that this Authority maintains its preference for Route Option SD but at the same time acknowledges reluctantly that the County Council would not now pursue this option and, in the circumstances, advise the County that subject to the satisfactory resolution of concerns such as those raised in the context of the presentation to the last Committee, no formal objection to the proposal would be made (DE)

MINUTE 556 - Essex Challenge - Shop Front Design and Security Grants Scheme - Scheme Agreements (Minute 464/96)

Resolved that all planning and listed building applications arising from the grant scheme be dealt with through the weekly list. (TP)(DE)

MINUTE 566 - Countrywide Concessionary Travel Scheme for Elderly and Disabled People (Minute 190/96)

Resolved (1) that the County Council be advised that this Council supports the proposed action plan

(2) That the Chief Executive be authorised to implement Standing Order 18 in order for the response to be sent to County by the due date (933)(DF)

571 **MINUTES OF SUB-COMMITTEES AND PANELS**

The Committee considered the appended Minutes and recommendations contained therein. It was noted that the Minutes of the adjourned Meeting of the Audit Sub-Committee held on 29th November 1996 would be submitted to Full Council

| Sub-Committee/Panel | Date |
|---------------------|-------------------|
| (a) Audit | 16th October 1996 |

Minute 3 - Contracts - Sheltered Homes Conversion Schemes

When dealing with Minute 3 Members agreed that recommendations (3) and (4) should be referred back to the Audit Sub-Committee.

RECOMMENDED (1) That the report of the Chief Executive be received

(2) That a detailed report on the upgrading of Sheltered Housing as outlined by the Chief Executive be submitted to the next Meeting of this Sub-Committee

| | |
|----------------------|-------------------|
| (b) Community Safety | 29th October 1996 |
|----------------------|-------------------|

Minute 12 - The views of Hockley Young People on the provision of a skateboard project (Minute 508/96)

Resolved that Officers investigate the viability of introducing a skateboard facility for the Hockley young people and review the merits of each site. (DE)

Minute 14 - Domestic Violence

Resolved (1) that Officers consult appropriate organisations (including the Local Authority Associations) on their experience of using mobile phones to help address domestic violence issues

(2) that a further letter be sent to Southend-on-Sea and Castle Point Borough Councils with a view to achieving contributions towards the appointment of a Domestic Violence Liaison Officer able to serve the Joint Domestic Liaison Panel. (CE)

Minute 15 - Community Safety - Strategic Direction

Resolved that the proposals for developing a sense of strategic direction for community safety, as detailed in the report of the Chief Executive, be endorsed and progress on the establishment of partnerships, structures and processes be reviewed in six months time. (CE)

Minute 16 - Mobile CCTV - Operational Arrangements

When dealing with Minute 16, the Director of Environment was able to confirm that the mobile CCTV tender process had been completed and that the Council would be able to achieve acquisition of three cameras, three lenses, three VCR recorders and two black and white monitors within the budget of £5,000. Members agreed that it would be useful to see the equipment in operation.

Resolved that, subject to the agreement of the Chief Constable, the proposed operational arrangements for mobile CCTV in the report of the Chief Executive be endorsed (CE)

MINUTE 18 - Clean and Safe Communities - New Proposals

When dealing with Minute 18 Members recognised that detailed debate on the need for speed reduction arrangements in respect of Lower Road, Hockley, was a matter for the Transportation and Environmental Services Committee.

Resolved that the recommendations set out in the appendix to these Minutes be approved. (CE)

Minute 19 - Trends in the Marketing and Sales of Alcohol

Resolved (1) that the Home Office be advised that the above comments constitute this Council's view on the Consultation Document on under age drinking

(2) that the Drug Reference Group be asked to consider whether, through liaison with other interested groups, training for bar staff and off-licence staff can be provided locally. (7449) (CE, CEHO)

NOTE: With regard to (1) above the Chief Executive had already exercised his authority under Standing Order 18 to enable comments to be forwarded to the Home Office without delay.

Minute 21 - Election of Representative to County Community Safety Forum.

Resolved that Councillor M J Handford or his nominee be elected as this Council's representative to represent the District on the County Community Safety Forum. (DE)

NOTE: The Chief Executive had already exercised his authority under Standing Order 18 to enable the appointment without delay.

(c) Millennium

4th November 1996

Minute 8 - Millennium Applications - Progress

RECOMMENDED (1) That, with regard to application proposals in respect of an Environment Centre in Hockley Woods.-

- (i) The Council accepts that there should be a provisional upper capital cost of £400,000
- (ii) The Council be prepared to incur costs of up to £20,000 to support any application bid
- (iii) Consideration be given to the co-opting of persons with experience of charitable fund raising on to the Sub-Committee
- (iv) Town/Parish Councils be approached with a view to any assistance they are able to offer this Council with regard to the proposals.
- (v) Further contact be made with The Essex Wildlife Trust with a view to commencing outline discussions on working in partnership to achieve a Centre.

(2) That a proposal for lottery funding for a project of structures/sculptures based on the theme of time be submitted to the Arts Council for England. (TP179) (DE)

(d) Partnership (Essex Links)

13th November 1996

During debate of the Partnership Sub-Committee Minutes a motion in respect of Minute 16(i) (County Enterprise Service) was moved by Councillor D E. Barnes and seconded by Councillor T.A Powell This was accepted by the Committee and it was,-

Resolved (1) that Officers prepare a report on the feasibility of allocating resources and staff to promote the Authority's best interests in terms of regeneration and transportation issues

(2) that the report be submitted to the next Meeting of the Transportation and Environmental Services Committee for consideration in the 1997/98 budget.

Minute 15 - Audit Commission Paper: Working between the Tiers

Resolved (1) that the importance attributed to improved multi-tier working within the Audit Commission Paper "Working between the Tiers Addressing the Issues" be noted

(2) that, in terms of identifying good and progressive practice, the Audit commission be invited to consider the "Links" initiatives of this Council. (CE)

(e) Regeneration

14th November 1996

With regard to Minute 5 (Pertinent Business) it was agreed that the Director of Environment should further communicate with Sub-Committee Members in response to the invite received from the Board of South East Essex Business Link to visit one of their satellite units.

(f) Corporate Resources

25th November 1996

Minute 40 - Members' Allowances (Minute 457/96)

Resolved (1) that the scheme of Members' allowances for the 1997/98 financial year be as follows:-

- (i) Group Leaders allowance - a basic allowance of £400 per annum and an amount per member of £23 30 per annum
- (ii) Committee Chairman's allowance - an allowance of £490 per annum
- (iii) Sub-Committee Chairman's allowance - a double attendance allowance payment
- (iv) Main allowance - a basic allowance of £600 per annum and an attendance allowance of £11 80 per meeting

(2) that no change be made to the Council's existing policy in respect of claims submitted when two meetings are held on the same evening and no claims for conference attendance (DF)

Minute 41 - Future Use of Civic Suite, Rayleigh (Minute 480/96)

Resolved (1) that the Director of Law & Administration completes a formal agreement between the Council and Rayleigh CAB with regard to its occupation of the Civic Suite, Rayleigh, the agreement to be for a term of three years and to provide for the waiving of the Tenant's rights to hold over under The Landlord and Tenant Act 1954.

(2) that provision of £3,700 be made in the 1997/98 Revenue Budget towards the cost of providing additional office space for Rayleigh CAB.

(3) that provision of £5,700 be made in the 1997/98 Revenue Budget to improve the emergency planning function and communication facilities at the Civic Suite.

(4) that the Transportation & Environmental Services Committee consider car parking arrangements for the Civic Suite in the light of this Sub-committee's proposals

(5) that the Director of Environment report on the Council wide implications of access for the disabled to the next Meeting of the Corporate Resources Sub-Committee.

(6) that further consideration of replacement audio visual facilities be deferred pending the decision regarding Wickford.

(7) that the Chairman of the Council's Room be used for Committee call-overs.

(8) that the current Emergency Control Room be allocated for use by the Rochford Crossroads Care Attendant Scheme.

(9) that Officers enter into discussions with the Registry Office regarding use of the Robing Room

(10) that Committee Room 1 (the Members' Smoking Room) be allocated for the sole use of 'Relate' on Tuesday mornings.

(11) that Officers investigate rating of the Civic Suite building and report back (27620) (D.Cor S)

Minute 42 - A more Responsive Noise Service (Minute 635/95)

Resolved (1) that £15,000 be included in the draft budget for 1997/98 to enable a more responsive noise service to be developed

(2) that further reports be made to the Environmental Health Sub-committee on the Noise Act 1996 and the guidance on the provision of noise control services. (6759) (CEHO)

Minute 43 - Procedure for Quarterly Performance Reports

Resolved that the future provision of the quarterly performance report document be considered in the light of a survey of the views of all Members of the Council. (D Cor.S)

Minute 44 - Redundancy and Early Retirement Policies (Minute 385/96)

Resolved (1) that persons redundant under the age of 50 receive a payment representing a maximum of thirty weeks salary at an enhanced rate of actual salary using the Council's existing calculations.

(2) that persons redundant over the age of 50 receive the same payment as detailed in (1) above and a pension based on actual earnings, no years being added

(3) that the following arrangements apply in respect of early retirement on the grounds of efficiency of service:-

- (i) Such retirement to be Chief Officer initiated only
- (ii) Chief Officers to make their recommendations on the release of Officers to the appropriate Committee, every case being considered on its merits
- (iii) With regard to added years:-
 - (a) the maximum allowance to be $6\frac{2}{3}$ years.
 - (b) no proposal for added years to exceed a period of forty years when added to reckonable service

- (c) such years to only be added in cases where an Officer has served with the Council for a minimum period of five years (DF)

Minute 45 - Long Service Schemes (Minute 207(c)/96)

Resolved that the following scheme be introduced in respect of long service:-

LONG SERVICE SCHEME

Eligible Staff

On retirement employees with twenty or more years continuous service with Rochford District Council, including service with the former Rochford Rural and Rayleigh Urban District Councils

Award

£10 for every completed year of continuous service, as detailed above. The Officer to purchase their choice of gift with reimbursement being made by the Finance Directorate on receipt of the invoice. Officers may select a gift of a higher value if they wish to personally meet the additional cost

Presentation

A Long Service Award Certificate be presented to the Officer by the Chairman of the Council at Full Council. (CE)

Minute 49 - Replacement Telephone System

Resolved (1) that the specification detailed in the report of the Director of Corporate Services be approved.

(2) that the list of contractors detailed in the report of the Director of Corporate Services be approved

(3) that the specification be put out to tender to the list of approved contractors and a report detailing the purchase and lease options together with detailed cost benefit statements be presented to the next Meeting of the Sub-Committee. (D Cor S)

Minute 50 - Variations to Establishment

During debate of Minute 50 the Committee concurred with the view of a Member that, in view of information so far available on Government spending restrictions, the Council should now freeze all non-service delivery vacancies pending finalisation of the 1997/98 budget.

Resolved that there be a freeze on all non-service delivery vacancies pending finalisation of the 1997/98 budget

(g) Compulsory Competitive Tendering | 29th November 1996

Minute 23 - Pertinent Business and any other items.

When considering Minute 23 Members noted the advice of the Director of Finance that it was becoming more commonplace for Council's to introduce arrangements whereby estimates relating to areas of CCT are considered in private session. Notwithstanding such arrangements, there was a legal requirement that the Council's year end accounts are made available for public inspection. The Government had introduced specific arrangements in respect of in-house bidding.

Resolved that estimates relating to those areas of the budget which will be subject, either now or in the future, to CCT, should be considered in private and confidential

session and the published estimates should only contain a summary of costs for those areas (DF)

572 LOCAL GOVERNMENT REVIEW (Minute 33/96)

The Committee considered the report of the Director of Law & Administration detailing the current situation concerning the Local Government Commission's recommendation that Wickford should cease to form part of Basildon and should join with the existing administrative area of Rochford to form a new Rochford and Wickford District Council. From the information available it now seemed certain that any review would be on the basis that Rochford and Basildon are "continuing" Authorities and it was proposed that Officer contact be renewed with Basildon to prepare the groundwork for a further submission, a full report being brought to Members in due course

Resolved that the Chief Executive seek to renew discussions with Officers at Basildon and Brentwood. (CE)

573. NATIONAL NON DOMESTIC RATING - MANDATORY AND DISCRETIONARY RATE RELIEF (Minute 486/96)

The Committee considered the report of the Director of Finance detailing four applications under the Mandatory and Discretionary Rate Relief provisions of Sections 43 and 47/48 of the Local Government Finance Act 1988.

During debate of the applications from the Heath and Star Shooting Clubs Members referred to the national debate currently taking place on gun control, particularly in respect of the recent tragedy at Dunblane. Whilst it was recognised that the Council needed to have rate relief policies which were sympathetic towards recreational activity these were the first applications received from gun clubs and, in view of an adjusting national attitude to guns, it could be seen as reasonable to consider establishing a policy in respect of this type of activity.

In determining a view on the granting of rate relief to the Essex Ataxia Rehabilitation Unit, Members felt that, as an affiliated charity, the unit should be treated on the same basis as applications received from charities in their own right

Resolved (1) that 20% Discretionary Relief be granted to Great Wakering Community Association with effect from 1st April 1995.

(2) that the 80% Mandatory Relief granted under delegated powers to the Great Wakering Community Association with effect from 1st April 1995 be noted

(3) that 80% Discretionary Relief be granted to the Essex Ataxia Rehabilitation unit

(4) that consideration of the application received from the Heath Shooting Club and the Star Shooting Club be deferred pending an Officer report to Full Council to enable Members to determine a policy in respect of shooting and gun club applications. (DF)

574 ESSEX CHALLENGE - FINANCIAL ARRANGEMENTS

The Committee considered the joint report of the Director of Environment and Director of Finance on the financial arrangements proposed for running the Essex Challenge Shop Front Design and Security Grant Scheme.

Resolved that the Director of Finance be authorised to pay Shop Front Design and Security Grants to applicants subject to the monies being reclaimed from Essex County Council as outlined in the joint report. (DF) (DE).

575. **35-39 WEST STREET, ROCHFORD - REPAIRS NOTICE AND COMPULSORY PURCHASE (Minute 351/96)**

The Committee considered the report of the Director of Environment outlining the proposed arrangements for the Council to acquire 35-39 West Street, Rochford (a rapidly deteriorating listed building) using the prescribed Compulsory Purchase Order and a "back to back" arrangement with a prospective purchaser.

Members noted that the Council had now received a letter from the owner indicating reasons for not addressing the issues and an intention to make contact with prospective tenants. Notwithstanding the letter Members felt that, in view of the history and concern about this building, the recommendations in the report should be endorsed

Resolved that a Compulsory Purchase Order be served by the Council with the intention of acquiring for repair the building at 35-39 West Street, Rochford, subject to the completion of a legal agreement with a prospective purchaser willing to purchase the building from the Council as part of a "back to back" deal (DE) (TP87)

576 **CONSULTATION WITH CHAMBERS OF TRADE**

The Committee noted the report of the Director of Finance on the outcome of this year's pre-budget consultation with the Chambers of Trade

577. **105 AND 107 LITTLE WAKERING ROAD, GREAT WAKERING**

The Committee considered the report of the Director of Law & Administration on a request from the owner of No 107 Little Wakering Road, Great Wakering, who wished to erect a fence between his property and No 105 and had requested removal of an easement to permit this

Resolved that the Director of Law & Administration be authorised to complete a formal Deed of Mutual Surrender of rights of way only granted and reserved out of a Conveyance dated 4th August 1980 between the Council and the owner of No. 107 Little Wakering Road, Great Wakering (3109) (DLA)

578 **SWIMMING POOL - RAYLEIGH (Minute 699/95 and Minute 420/96)**

The Committee considered the joint report of the Director of Environment and Director of Law & Administration detailing the independent valuation received in respect of the proposed Rayleigh swimming pool site, the approach being made to the Charity Commissioners to further release the site and proposals for establishing a Member Panel and obtaining specialist consultancy advice.

Resolved (1) that the valuation of £10,500 received from an independent valuer in connection with the site be noted.

(2) that the approach now being made to the Charity Commissioners to further the release of the site for use as a swimming pool be endorsed.

(3) that a Member Panel be formed as outlined in the report, membership to be as follows -

Liberal Democratic Representatives - Councillors N Harris, Mrs. M. Hunnable, Mrs J.M. Giles and S R Tellis

Labour Representatives - Councillors G C Angus and C R. Morgan

Hockley Residents Association Representative - to be confirmed

(4) that the employment of specialist consultancy advice to aid the Member Panel in its deliberations and the allocation of £10,000 from the swimming pool provision to fund this be agreed.

579. **RESULT OF ELECTION OF DISTRICT COUNCILLOR FOR ROCHFORD ROCHE WARD**

The Committee noted the report of the Chief Executive detailing the result of the election of a District Councillor for the Rochford Roche Ward

Members welcomed the successful candidate, Councillor D.M. Ford, to the Meeting

580 **EXCLUSION OF THE PUBLIC**

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following items of business on the grounds that they involve the likely disclosure of Exempt Information as defined in Paragraph 5 and 9 respectively of Part 1 of Schedule 12A of the Act.

581 **STAMBRIDGE COMMUNITY CENTRE**

The Committee considered the confidential report of the Director of Finance detailing a request from the Stambridge Community Centre to waive the interest payable on a loan

During debate Members acknowledged the personal efforts of the Secretary to the Stambridge Trust Management Committee on behalf of the Trust. In deciding to accede to the centre's request the Committee noted the advice of the Director of Finance that such a decision would not set a precedent

Resolved that the request for the waiver of interest received from Stambridge Community Centre be agreed.

582 **CONTRACT NO. 1650 - INTERNAL CLEANING OF THE COUNCIL OFFICES, ROCHFORD C A.B. AND TOILETS IN ROCHFORD DAY CENTRE**

Note: Councillor C I. Black declared a pecuniary interest in this matter by virtue of his spouse's employment and left the Meeting taking no part in the debate or voting thereon

The Committee considered the confidential report of the Director of Law & Administration on the tenders received in respect of Contract No. 1650

In response to Member questions the Director of Corporate Services detailed the background to the tender specification/invite process and confirmed that, at the present time, the Council did not request any payment from tenderers to cover the costs of tender documentation

During debate reference was made to the need to take as cost effective approach as possible. It was felt that, prior to a final decision on this matter, it would be appropriate to obtain references from the lowest tenderer.

Resolved (1) that a decision on this matter be referred to the next Meeting of Full Council when consideration can be given to the references available in respect of the lowest tenderer.

(2) that Officers report further on the possibility of requesting payment from tenderers to cover the cost of the Council tender documentation (D.COR S)

583. **BANK TENDER (Minute 398/96)**

The Committee considered the confidential report of the Director of Finance detailing bids received for the Authority's new five year bank contract.

Resolved that the tender for banking services submitted by Barclays Bank plc be accepted.

ROCHFORD DISTRICT COUNCIL

FINANCE & GENERAL PURPOSES COMMITTEE - 3RD DECEMBER 1996

MINUTES OF THE AUDIT SUB-COMMITTEE

At a Meeting held on 16th October 1996. Present Councillors C I. Black, D F. Flack, G Fox, Mrs J Hall, N Harris, Mrs E M Hart, Mrs. J Helson, C R Morgan and R E Vingoe

Apologies Councillors E.L Francis, A. Hosking and A L. Stevart.

Substitutes Councillors D E Barnes and V.C. Howlett

Visiting Councillors P.A. Beckers, Mrs. S.J. Lemon and Mrs P M.V Pearse.

1 APPOINTMENT OF CHAIRMAN

Councillor N Harris was appointed Chairman for the remainder of the Municipal Year.

2. EXCLUSION OF THE PUBLIC

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following item of business on the grounds that it involves the likely disclosure of Exempt Information as defined in Paragraph 8 of Part 1 of Schedule 12A of the Act.

3. CONTRACTS - SHELTERED HOMES CONVERSION SCHEMES

The Committee considered in confidence the report of the Chief Executive on the programme for upgrading of sheltered housing accommodation. Arising out of a report to Management Team concerns had been identified by Officers in regard to the procedures used to progress development and their effect on the Council's Capital Programme. The Chief Executive stressed that detailed analysis of tenders and associated documents confirmed that irregularities related to matters of procedure rather than probity. A full report would be presented to the next Meeting of the Sub-Committee on 28th November 1996 allowing time for a thorough investigation of all aspects of the matter including detailed consideration of design and reporting procedures

The Officers then answered questions from Members with regard to the Sheltered Housing Programme itself, the nature and findings of the Audit investigation so far, the effect on the remainder of the programme of the contract already let in respect of Phase I of the The Lavers, the consultation exercise undertaken with residents and the effect on them of any delay in the next phase of the programme for upgrading

Members noted that the Capital Programme agreed for the current year was unaffected and that the programme for upgrading sheltered housing could continue by extending the period for this work. Members were satisfied to receive the initial report drawing this matter to their attention and noted that an audit review and procedural review were currently taking place and agreed that a further detailed report should be presented to their Meeting in November

In the meantime the Sub-Committee was unanimous in the view that having commenced a phased upgrading of The Lavers this work should not be delayed to the detriment of the residents and therefore Phase II and III should continue.

RECOMMENDED (1) That the report of the Chief Executive be received

(2) That a detailed report on the upgrading of Sheltered Housing as outlined by the Chief Executive be submitted to the next Meeting of this Sub-Committee.

(3) That the Capital Programme be adjusted for The Lavers, Phases II and III and tendered for accordingly.

(4) That in respect of the remaining schemes, the implications on the Capital Programme be reported to the Service Committee

ROCHFORD DISTRICT COUNCIL

FINANCE & GENERAL PURPOSES COMMITTEE - 3RD DECEMBER 1996

MINUTES OF THE COMMUNITY SAFETY SUB-COMMITTEE

At a Meeting held on 29th October 1996. Present Councillors M J Handford (Chairman), P.A Beckers, D F. Flack, Mrs J. Helson, V C Howlett, Mrs M. Hunnable, V D Hutchings, C R. Morgan, Mrs. P.M V Pearse, T A Powell and D.A. Weir.

Apologies. Councillor Mrs. W M. Stevenson and Co-Opted Members Mr. P. Pearson (Partnership & Emergency Planning Officer, Essex County Council) and Chief Inspector G. Bird (Essex Police).

Substitute Councillor G C Angus.

Visiting Councillors D E Barnes and R.E. Vingoe.

Representing the Essex Youth Service - A Dykes (Senior Youth Worker) and M. Hughes (Rochford Based Youth Worker).

Representing Essex Police - D C.I. R. Newman (Crime Manager and Chairman of Southend and District Domestic Violence Panel) and Inspector W. Coady.

10 **MINUTES**

The Minutes of the Meeting of 11th September 1996 were agreed as a correct record

11 **MEMBERS' INTERESTS**

Councillors Mrs M Hunnable and C R Morgan declared non-pecuniary interests with regard to discussions on the Youth Service by virtue of their involvement with the Area Youth Management Committee

12 **THE VIEWS OF HOCKLEY YOUNG PEOPLE ON THE PROVISION OF A SKATEBOARD PROJECT (Minute 508/96)**

A small representative group of young people from Hockley had been invited to attend the Meeting of the Sub-Committee to relay their views on the proposal for a skateboard project

The group reported their aims/objectives, views on site location, sources of funding, monitoring/evaluation and vision for the project. The group was keen to foster good relationships with the community whilst providing a safe environment for skaters to meet and practice.

Members extended their thanks to the group for attending the Meeting to present their case and confirmed that the Council would endeavour to facilitate the needs identified. The Director of Environment indicated that he would act as the group's Officer contact point and advised on the value of developing a specification to identify the constituent elements of a reasonable skateboard facility so that the maximum number of alternatives could be considered.

RECOMMENDED That Officers investigate the viability of introducing a skateboard facility for the Hockley young people and review the merits of each site (DE)

13 **PRESENTATION BY THE YOUTH SERVICE**

The Sub-Committee received a presentation from the Youth Service.

In consultation with the District Council's Community Liaison Officer the Youth Service had identified a link between youth and safer communities issues. Research in the Rochford area had indicated that key issues of concern to young people included personal safety, alcohol use and school non-attendance. The Service was currently actively reviewing the possibility of introducing a mobile project within the District, potential monies having already been identified within the County Education Department budget and, possibly, through Police sponsorship. The service hoped that the District Council might be able to offer assistance via the Safer Communities budget. Other areas of work which the Youth Service would like to progress related to activity undertaken through the Rochford detached youth work and the drug awareness projects.

During debate Members recognised that the Youth Service was still in the process of finalising background work in respect of their proposals and that it would not be practicable to try and identify funding which might be available until nearer the District Council budget meetings process.

It was agreed that a Meeting of the Sub-Committee should be convened as soon as possible after the January Meetings of the Council's Community Services and Transportation & Environmental Services Committees, when a clearer picture of the likely budget position could be identified.

14 DOMESTIC VIOLENCE

The Sub-Committee received a presentation from DCI Newman of Essex Police on current domestic violence issues including an update on arrangements relating to the use of mobile phones by the victims of domestic violence in the Castle Point area and the current position with regard to the introduction of a Domestic Violence Liaison Officer. DCI Newman had made arrangements for Members to receive copies of reports on children and domestic violence produced by the National Children's Bureau. He commended the District Council to consider the purchase of bespoke mobile phones which domestic violence victims could use to contact the police emergency service

In generally supporting the concept of mobile phones Members felt that it would be *useful to consult other organisations on their experience.*

In response to Members' questions DCI Newman confirmed his view that a multi-agency response was likely to be the way forward with regard to domestic violence and re-iterated the value of introducing a Domestic Violence Liaison Officer serving the local Joint Domestic Liaison Panel (which covered the Southend-on-Sea, Castle Point and Rochford Districts).

The Sub-Committee was concerned to note that, despite earlier communication, Southend-on-Sea and Castle Point Borough Councils had failed to address the question of contributing towards the appointment of a Liaison Officer. It was agreed that it may be helpful for Members to approach their colleagues on the other Authorities in respect of this issue.

RECOMMENDED (1) That Officers consult appropriate organisations (including the Local Authority Associations) on their experience of using mobile phones to help address domestic violence issues.

(2) That a further letter be sent to Southend-on-Sea and Castle Point Borough Councils with a view to achieving contributions towards the appointment of a Domestic Violence Liaison Officer able to service the Joint Domestic Liaison Panel (CE)

15 COMMUNITY SAFETY - STRATEGIC DIRECTION

The Sub-Committee considered the report of the Chief Executive detailing proposals for developing a sense of strategic direction for community safety issues and suggesting components for developing a set of partnerships, structures and processes which would ensure that the concept of community safety systematically pervaded all areas of Council activity.

Work so far undertaken had enabled the identification of common themes (home related safety, environment based issues, vehicle and traffic related safety, youth issues and drugs, substance and alcohol related problems). Work now needed to take place to:-

- 1 Audit the Council's core activities and produce position statements.
- 2 Consolidate the sources and flow of information which show the community's principal concerns about safety.
3. Develop further partnerships with key players to address the central themes emerging from the work to date
4. Ensure that the approach to any issue is comprehensive, covering education, prevention, publicity, projects, enforcement and evaluation as appropriate, involving other agencies as appropriate

It was suggested that the role of the Sub-Committee should develop over the next six months towards an overall programme management function

During debate Members recognised that the role of Service Committees needed to be borne in mind and that the evaluation of expenditure on clean and safe communities could perhaps best be achieved if a Meeting of the Sub-Committee was scheduled during January 1997.

RECOMMENDED That the proposals for developing a sense of strategic direction for community safety, as detailed in the report of the Chief Executive, be endorsed and progress on the establishment of partnerships, structures and processes by reviewed in six months time

16. **MOBILE CCTV - OPERATIONAL ARRANGEMENTS**

The Sub-Committee considered the report of the Chief Executive detailing progress to date with regard to establishing mobile CCTV operational arrangements. On the basis of existing plans the implications for the Council would not be significant as the Police had agreed to undertake most of the day-to-day operations

Members were pleased to note that the tender time-tabling process was such that cameras were likely to be available for trial use prior to Christmas (during the the third week in December). It was confirmed that Parish Councils and other appropriate organisations would be contacted with regard to the availability of forms for the siting of mobile CCTV equipment. Arrangements would be publicised in the spring edition of the Council's newspaper

RECOMMENDED That, subject to the agreement of the Chief Constable, the proposed operational arrangements for mobile CCTV detailed in the report of the Chief Executive be endorsed (CE)

17 **CLEAN AND SAFE COMMUNITIES - UPDATE ON INITIAL PROPOSALS**

Members received the report of the Chief Executive setting out the current position with regard to the clean and safe community proposals presented to the Meeting of the Sub-Committee held on 11th September 1996

18 **CLEAN AND SAFE COMMUNITIES - NEW PROPOSALS**

The Sub-Committee considered the report of the Chief Executive on new proposals received for projects which might be considered against the clean and safe communities funding in the current financial year.

During debate a Member made particular reference to the need for speed reduction arrangements in respect of Lower Road, Hockley The Director of Environment

confirmed that he would raise this matter with the County Council and report back to the next Meeting of the Sub-Committee.

RECOMMENDED That the recommendations set out in the appendix to these Minutes be approved (CE)

19 **TRENDS IN THE MARKETING AND SALES OF ALCOHOL**

The Sub-Committee considered the report of the Chief Environmental Health Officer on the outcome of representations made to the local Member of Parliament and the Association of District Councils with regard to the consumption of alcohol by young persons in public places, the contents of a Home Office consultation document on under age drinking and recommendations with regard to the training of bar staff and off-licence staff received from the Health Education Authority.

During debate on the consultation document Members agreed that they could generally support proposals to give uniformed Police Officers powers to seize and destroy alcohol in the circumstances outlined. There was some concern that enforcement could prove difficult and it was felt that the Police may have insufficient resources to use the powers effectively. Some Members commented that there should be an outright ban on the consumption of alcohol on the highway other than on licensed premises such as street cafes, since the public can find this intimidating. It was recognised that, on balance, such a ban could prove difficult to implement. Members also felt that the use of test purchases was a valuable enforcement tool and welcomed the proposals to clarify their use.

RECOMMENDED (1) That the Home Office be advised that the above comments constitute this Council's view on the Consultation Document on under age drinking

(2) That the Drug Reference Group be asked to consider whether, through liaison with other interested groups, training for bar staff and off-licence staff can be provided locally (7449) (CE,CEHO)

NOTE: (1) with regard to recommendation (1) the Chief Executive exercised his authority under Standing Order 18 to enable comments to be forwarded to the Home Office without delay.

(2) During discussion of the foregoing item it was:-

Resolved that Standing Order 1.8 be suspended

20 **KEY POLICING ISSUES**

The Sub-Committee received a verbal report from Inspector Coady on current key policing issues including:-

1. Recent success with regard to drug seizures
2. Work being undertaken to tackle problems in the Daws Heath Road and Nursery Close areas of Rayleigh
- 3 The revision of foot patrols in the Rayleigh Town Centre area
- 4 Proposals to include an article on Neighbourhood Watch in the Spring edition of the Council's newspaper.
5. Crime trends

ELECTION OF REPRESENTATIVE TO COUNTY COMMUNITY SAFETY FORUM

Pursuant to Standing Order 26 2 the Chairman decided to admit this item on the grounds of urgency.

The Sub-Committee considered the report of the Director of Finance on an invitation received from Essex County Council for this Authority to elect a representative to attend the inaugural meeting of the County Community Safety Forum scheduled for 15th November 1996

RECOMMENDED That Councillor M J Handford or his nominee be elected as this Council's representative to represent the District on the County Community Safety Forum. (CE)

NOTE. The Chief Executive exercised his authority under Standing Order 18 to enable the appointment without delay

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COMMUNITY SAFETY SUB-COMMITTEE - 29TH OCTOBER 1996

CLEAN AND SAFE COMMUNITIES
- RECOMMENDATIONS IN RESPECT OF NEW PROPOSALS

| Proposal | Comments | Appr. Comm. | Recommendation |
|--|--|-------------|--|
| CS 24 Signs and dog fouling bins Ashingdon | Sign at Golden Cross Road Bin at entrances to footpath 15. | T. & E S. | Chief Environmental Health Officer to include as part of budget agreed at last meeting point 8(B) |
| CS.25 Additional street lights, Stambridge | Improve safety and minimise risk of accidents | T. & E.S. | Director of Environment to investigate, liaise with ECC and report to T. & E S. in due course. |
| CS 26 Speed restriction Scotts Hall Road, Canewdon | Erection of "Kill your Speed" Signs | T. & E S. | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course. Also possible site for mobile CCTV. |
| CS.27 Speed restriction Lambourne Hall Road, Canewdon | - | T. & E.S. | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course. Also possible site for mobile CCTV. |
| CS.28 Traffic calming measures - Stambridge Village | Highways Authority to advise appropriate measures | T. & E S | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course. |
| Speed restriction - Stambridge Village | Police and Highways to advise | T. & E S | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course |
| CS.29 Basketball facility Stambridge Recreation Ground | To be viewed as part of overall provision | C.S. | Property Services Manager to consider as part of overall programme. |

| | | | |
|---|--|-----------|--|
| CS 30 Footpath from Stambridge Village to Recreation Ground and Hall | Safe passage for pedestrians without having to venture on to the main road | T. & E.S | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course. |
| CS.31 Footpath from shops to Village Hall, Canewdon | Provide safe access for pedestrians | T. & E.S. | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course |
| CS 32 Play facility provision for older children, Hullbridge | Various pieces of equipment as noted in the proposal | C.S. | Property Services Manager to consider as part of overall programme. |
| CS.33 Cameras to combat speeding on Ashingdon Hill | The area which includes Ashingdon Hill and Ashingdon Schools is a bad spot for speeding. | T. & E.S. | Director of Environment to discuss with appropriate agency/ies |
| CS.34 Coloured road surfaces for speed restriction, Ashingdon | Proposal calls for coloured surface on all sites where speed restrictions change and all school sites. | T. & E.S. | Director of Environment to investigate, liaise with ECC and report to T. & E S in due course. |
| CS 35 Provision of salt bins for use on pavements | Proposal to aid pedestrians during the Winter. | T. & E.S. | Director of Environment to investigate, liaise with ECC and report to T. & E.S. in due course |
| CS 36 Re-open Youth Club at Canewdon | Provision closed during 1995 due to persistent vandalism. | C.S. | To be part of collective initiative with Youth Service for provision in other areas. Chief Executive to arrange meeting with all interested parties. To be discussed in conjunction with Point 5 from previous meeting - Hambro Parade, Point 9 from previous meeting, Hockley and CS.43 of this report. |
| CS.37 Transport for young people from Canewdon to attend functions elsewhere in the District. | Public transport unavailable and unaffordable. | C.S. | To be discussed as part of overall youth provision and on Agenda for County/District/Parish Youth Forum Partnership Meeting |
| CS 38 Parish Special Constable for Ashingdon | - | C.S. | Police to advise. |

| | | | |
|--|--|------|---|
| CS 39 Crime Prevention Initiatives. Ashingdon Memorial Hall. | Extra Police patrols, crime prevention advice possible use of mobile CCTV. | C S | Police to advise |
| CS.40 Increased Police presence - Althorne Way, Canewdon and Cagefield Road, Stambridge. | Both areas are "Hot Spots" | C S. | Police to advise. |
| CS.41 Closure of alleyways Lous Drive, Rayleigh to combat vandalism | Vandalism of property, vehicles, fear of drug abuse. Highways and Transportation refused initial request to close alleyways. | C.S | Possible use of mobile CCTV. Increased policing Police to advise. |
| CS.42 Increased surveillance to combat under-age drinking in Hawkwell. | Police NBO's to check licensed premises and extra Police presence in known problem areas as a deterrent. | C.S | Police to advise and please also refer to Agenda Item 11 - report of the Chief Environmental Health Officer. |
| CS.43 Creation of a Youth Trust Hullbridge | To improve existing facilities and activities to combat vandalism. | C S | To be addressed via the Parish Council and ECC Youth Service. In addition to be part of the Youth Forum Agenda - see CS.37. |



ROCHFORD DISTRICT COUNCIL

FINANCE & GENERAL PURPOSES COMMITTEE - 3RD DECEMBER 1996

Minutes of the Millennium Sub-Committee at a Meeting held on 4th November 1996

Present: Councillors S R. Tellis (Chairman), V C Howlett, Mrs. A R. Hutchings, V H. Leach, C R. Morgan and Mrs. M S. Vince.

Apologies: Councillor D E. Barnes.

7 MINUTES

The Minutes of the Meeting of 4th September 1996 were agreed as a correct record.

8 MILLENNIUM APPLICATIONS - PROGRESS

The Sub-Committee considered the report of the Director of Environment detailing progress to date in respect of the two grant proposals submitted by the Council to the Millennium Commission. The Director of Finance had submitted an addendum to the report providing estimated costs in respect of the proposed Environment Centre Project (which the Commission had confirmed was eligible for grant). The Commission had felt that the Council's proposal for a project based on the theme of time would not qualify for a grant and had suggested that alternative sources of funding might be pursued.

In receiving a presentation outlining the latest information supplied by the Commission Members noted that the 11th November 1996 would, without exception, be the final deadline for receipt of a submission from the Council. It was not essential to submit all details in the first instance, the detailed "technical appraisal" stage being reached by February/March 1997. The Council could pull out of or be rejected at any stage of the process. In accepting that it would not be practicable to establish an in-house design for an Environmental Centre Members noted that the County Council may be willing to make the plans for their Thornden Country Park Centre available.

With regard to financial issues recent contact with organisations running Environment Centres had indicated that such centres frequently ran at a loss. The only local exception to this was the Thornden Centre, which had taken a strong commercial approach (being open 6 days per week and emphasising shop activity). Based on the Thornden experience Hockley Woods would need to attract 80-100,000 visitors per annum to be self financing. A variety of organisations had been approached with regard to possible sponsorship although only one, McDonalds, had indicated interest. Confirmation had been received from The Essex Wildlife Trust that they may be willing to partnership the Council, although they would not want any other parties involved. The Director of Environment confirmed that, as a site of special scientific interest, the entrance to the woods would be the most suitable location for an Environment Centre.

The Director of Finance emphasised that the Council's contribution towards the capital cost would have a significant impact on the already over committed capital programme and that any revenue support could only be included in the core budget at the expense of other expenditure. The commercial approach required to generate income to cover the revenue expenditure would entail charges for most activities, including car parking. He advised on the importance of not under resourcing the capital costs of any scheme and of being mindful that there are no guarantees that a commercial approach would prove successful - any project being a risk.

With regard to legal considerations Members noted that the issue of site restrictive covenants (relating to noise and neighbours) and potential bye-law restrictions (relating to public walks and pleasure grounds), whilst not necessarily insurmountable, would have to be addressed.

In discussing access to plans for existing Environment Centres Members recognised that centres at other sites, such as Thetford Park, may be more attractive than the centre at Thornden Country Park. It was possible that the Forestry Authority may be willing to make its design for the Thetford Park Centre available.

Members agreed that they would not want to abandon the concept of satellite points at locations throughout the District. Whilst not being specific at this stage, such points could perhaps form complementary displays/trails relating back to the main centre at Hockley.

It was recognised that, if proceeding, serious consideration would have to be given to the issue of fund raising and that it may be of value to consider co-opting persons with experience of charitable fundraising on to the Sub-Committee. There was clear value in involving the Town/Parish Councils where possible.

Whilst the potential partnership arrangement with The Essex Wildlife Trust could be welcomed the Council would need written support from them. In terms of financial prudence it would be inappropriate to proceed without accepting that there should be a provisional upper capital cost of £400,000 and that it may be necessary for the Council to incur costs of up to £20,000 to support any application bid. Members accepted that, depending on responses received from the Millennium Commission, it may be necessary to convene a Meeting of the Sub-Committee at short notice. The bid agreed for the 11th November would, however, only be made without incurring external costs until the funding of the bidding process had been approved.

Resolved (1) that a full application be submitted to the Millennium Commission for a grant to construct an Environment Centre in Hockley Woods, together with satellite centres at locations throughout the District

(2) that Officers approach organisations already managing Environment Centres which may be suited to Hockley Woods (such as at Thornden Country Park or Thetford Park) with a view to accessing the plans and developing the project as seen fit in the context of Member views.

It was further -

RECOMMENDED (1) That, with regard to application proposals in respect of an Environment Centre in Hockley Woods:-

- (i) The Council accepts that there should be a provisional upper capital cost of £400,000
- (ii) The Council be prepared to incur costs of up to £20,000 to support any application bid
- (iii) Consideration be given to the co-opting of persons with experience of charitable fund raising on to the Sub-Committee
- (iv) Town/Parish Councils be approached with a view to any assistance they are able to offer this Council with regard to the proposals
- (v) Further contact be made with The Essex Wildlife Trust with a view to commencing outline discussions on working in partnership to achieve a Centre.

(2) That a proposal for lottery funding for a project of structures/sculptures based on the theme of time be submitted to the Arts Council of England. (DE) (TP179)

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ROCHFORD DISTRICT COUNCIL

FINANCE AND GENERAL PURPOSES COMMITTEE - 3RD DECEMBER 1996

Minutes of the Partnership Sub-Committee (Essex Links)

At a Meeting held on 13th November 1996. Present: Councillors T.A. Powell (Chairman), D.E. Barnes, Mrs. J. Helson, V.D. Hutchings and Mrs P.M.V. Pearse

Representing Essex County Council: Councillors M.D Baker, G. Fox, Mrs. E.M. Hart and Mrs I. Pummell

Representing Town and Parish Councils: Councillors B. A. Crick, (Ashingdon Parish Council), Mrs. B. Lovett, (Rayleigh Town Council) and K. Saunders (Hawkwell Parish Council).

14. MINUTES

The Minutes of the Meeting held on 25th September 1996 were agreed as a correct record.

15. AUDIT COMMISSION PAPER: WORKING BETWEEN THE TIERS

The Sub-Committee considered the report of the Chief Executive on the Audit Commission Paper "Working between the Tiers: Addressing the Issues".

In discussing areas for particular emphasis arising from the paper, Members agreed that the work being initiated within the Rochford District and other areas of the County could be seen as an example of effective partnership development. The Director of Corporate Services confirmed that during next year the District Council's external auditors would be reviewing and reporting on partnership arrangements.

Members wished to emphasise the value of the "Links" meetings of this Sub-Committee in providing the opportunity for three tier communication to be established, maintained and confirmed. In this context it was important to achieve maximum involvement from all three tiers.

RECOMMENDED (1) That the importance attributed to improved multi-tier working within the Audit Commission Paper "Working between the Tiers: Addressing the Issues" be noted

(2) That, in terms of identifying good and progressive practice, the Audit Commission be invited to consider the "Links" initiatives of this Council. (CE)

16. SERVICE SPECIFIC ISSUES

1) County Enterprise Service

NOTE County Councillor G. Fox declared a non-pecuniary interest in this item by virtue of being Chairman of the Castle Point and Rochford Adult Education College

The Head of Enterprise and International Relations for the County Council, Mr. T Conder, was in attendance to enable Sub-Committee debate on Enterprise Service provision. He reported on the County Councils work at Chelmsford and Brussels and the activity of the Essex Business Centre, Young Enterprise Centres and the Centre for the advancement of Manufacturing and Technology. Reference was made to the various indicators which demonstrated that the Essex economy was not competitive and to ways of improving the situation, which could include establishing an adequate infrastructure, appropriate support services; effective research and

technological development, effective education and training, access to finance and lifestyle and cultural progression. Particular reference was made to the value of the Essex Economic Development Forum in bringing appropriate parties together and developing a strategy for promoting the County.

In response to questions, Mr Conder confirmed that he would be able to undertake the following for Members:-

- i) provision of a briefing note indicating County Council funding initiatives
- ii) contact with the County Council's Tourism Section with a view to providing advice to Parish/Town Councils on the latest possibilities with regard to the provision of tourism signage
- iii) provision of detail on the outcome of County Council research into standards within the education system
- iv) provision of detail on unemployment and educational attainment figures across the County's Districts/Boroughs
- v) provision of detail on the activity of the Economic Development Forum in establishing a robust image enhancing programme for the County

Whilst resource capacity may be low, the Enterprise Service was more than willing to consider working in partnership with any interested Council. Mr. Conder confirmed that several bids had been submitted for European funding in respect of the County infrastructure and that a gap could be identified between types of educational provision and employer requirements. In the latter regard, a Member referred to County Council influence in respect of Adult Education Colleges.

ii) Social Services

The County Manager of Social Services, Mr R. Sinden, was in attendance to enable Sub-Committee debate on Social Services. He reported on his own management responsibility for the County Council's 49 older persons homes and the three main departmental issues of restructuring, consultation on community care and working towards unitary status. Each County Service Manager had responsibility to promote links with the Districts/Parishes, Mr. Sinden covering the areas of Rochford and Castle Point. Reference was made to the connections between Senior Managers and Local Member Panels, current work to develop a rational approach to the targeting of resources and the multi-agency approach taken by Social Services. Since 1993 Social Services had been legally required to be aware of emerging welfare markets.

In response to Member questions, Mr. Sinden confirmed that his department now produced a County Community Care Plan and Local Action Plan. He would endeavour to make sure these are fully available to local Councillors and would further address ways of demystifying the service. Reference was made to current work aimed at developing more compatible information technology systems. In referring to methods by which the County obtained the views of service users Mr. Sinden acknowledged that one challenge was to review how service consultation processes could be improved. He confirmed that he would correspond with the District Council concerning levels of departmental spending in respect of the public/private sector. Mr. Sinden referred to the potential value of providing a One Stop Shop aimed at addressing the problems of carers and confirmed that, with Care in the Community policies, "home care" had superseded home help. With regard to care needs assessment, Mr Sinden confirmed that assessments were undertaken before patients left hospital, any delays being in respect of accessing Occupational Therapists.

iii) Services to be discussed at next meeting

Members felt that, in view of the time required to give value to this aspect of meetings, it would be preferable to consider only one service at each future meeting. It was agreed that one of the following services be raised at the next meeting:-

- a) libraries and information services
- b) tourism
- c) recycling
- d) education

17. **COMMUNITY SAFETY - PROGRESS**

The Director of Environment reported verbally on the progress of District Council work in respect of Community Safety

The Council's Community Safety Sub-Committee had now met on two occasions, having considered 43 bids and earmarked £75,000 (covering the areas of social crossings, playgrounds, mobile CCTV, signage in respect of dog fouling, bins and drugs reference). A further meeting had been scheduled for January 1997 and the District Council Community Liaison Officer was available as the contact point for further suggestions from the Parish Councils

18. **REACHING THE COMMUNITY WITH SERVICES**

The Director of Corporate Services reported verbally on progress with regard to reaching the community with services

The Director wished to extend his gratitude to Councils for responding to the recent consultation process in respect of proposals for a Community Information Centre. He confirmed that the County Council's Library and Information Board had given its approval to proposals as they affect the County although these proposals now await financial approval as part of the County Council's annual budget process. As with arrangements made for the South Woodham Ferrers Information Centre, there was no reason why tourism could not be included in the remit for the Information Centre.

19. **DATE OF NEXT MEETING**

The next meeting of the Partnership Sub-Committee (Essex Links) had been scheduled for Wednesday 19th March 1997, commencing at 7.30pm in the Council Chamber, Civic Suite, Rayleigh

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ROCHFORD DISTRICT COUNCIL

FINANCE & GENERAL PURPOSES COMMITTEE - 3RD DECEMBER 1996

MINUTES OF THE REGENERATION SUB-COMMITTEE

At a Meeting held on 14th November 1996. Present: Councillors B.R. Ayling, Mrs. H.L.A. Glynn, S.R. Tellis and R.E. Vingoe.

Apologies: Councillor M.J. Handford.

1. APPOINTMENT OF CHAIRMAN

Resolved. That Councillor Mrs. H.L.A. Glynn be appointed Chairman of the Sub-Committee for the ensuing year

2. TERMS OF REFERENCE

Members noted the Terms of Reference for this Sub-Committee.

3. ROCHFORD EMPLOYMENT PREMIUM

The Sub-Committee welcomed Mrs Sabine from Essex Careers and Business Partnership Limited who had been invited to the Sub-Committee to update Members on the application of the above scheme to 16-18 year olds who would otherwise find it difficult in securing employment.

Mrs. Sabine informed Members that following the original launch of the scheme in 1995/96 four young people had been placed in jobs. As part of the recent relaunch of the scheme in its revised format, the careers service had visited 100 companies and had now placed five individuals. Mrs. Sabine felt the response this time had been much more positive and would canvass companies again after Christmas. A Member asked how many young people were likely to qualify under this initiative. Mrs Sabine gave an approximate number of 50 to 60 youngsters.

Members questions were also answered regarding

- The length of time employers took to respond to this scheme when first approached.
- The cost of the premium on the Council so far.
- The introduction of opportunities for modern apprenticeships.
- The inclusion of the disabled.

The Chairman thanked Mrs. Sabine for attending and wished her every success with the scheme.

4. ROCHFORD EMPLOYMENT PREMIUM

The Sub-Committee welcomed Mr P Cooper, Managing Director and Mrs P Hammond, Programme Manager for Skills for Work Limited

Mr. Cooper explained to the Sub-Committee how this aspect of the premium initiative was aimed at 18 to 24 year olds male and female to help them try and find employment via a programme of part-time voluntary work combined with job search activities. The main project to date had been Hockley Woods. Mrs. Hammond then explained to Members how the job search activities were organised. They offered expert advice and

help, prepared professional CVs and gave the free use of resources at the job search centre. They also carried out mock interviews and arranged appointments for job interviews. Advertisement of the premium was carried out by the local Press, Rayleigh Job Centre and leaflet distribution. Mr Cooper also explained to Members how the job seekers allowance would affect the premium.

A Member questioned the possibility of extending the job search element into the workplace and another Member asked how many youngsters fell into the bracket 18 to 24 years who were unemployed in the Rochford District and how much each placement was costing the Council. In answer to these questions Mr. Cooper informed Members that between 500 and 600 people fell into the bracket for unemployed and each placement cost approximately £500 each.

The Chairman thanked Mr. Cooper and Mrs. Hammond for attending and was glad to see the scheme working well in the District.

5 **PERTINENT BUSINESS**

The Director of Environment informed the Sub-Committee that the Board of the South East Essex Business Link had invited Members to visit the satellite which was now up and running in Southend and that he would be making arrangements for Members to attend one evening.

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ROCHFORD DISTRICT COUNCIL

FINANCE & GENERAL PURPOSES COMMITTEE - 3RD DECEMBER 1996

Minutes of the Corporate Resources Sub-Committee

At a meeting held on 25th November 1996. Present: Councillors Mrs J. Helson (Chairman), D E Barnes, S Cumberland, D F. Flack, Mrs. J M. Giles, Mrs H L A Glynn, Mrs E M Hart, Mrs. S J Lemon, T A Powell and D A Weir

Apologies: Councillor C R Morgan

Substitute. Councillor Mrs M.S Vince

Visiting: Councillors P.A Beckers and Mrs M. Hunnable.

38 MINUTES

The Minutes of the meeting held on 30th September 1996 were agreed as a correct record subject to the inclusion of apologies from Councillor Mrs H L A Glynn

39. MEMBERS' INTERESTS

It was accepted that all Members had a pecuniary interest in the item on Members' Allowances (Minute 40) by virtue of being claimants.

40 MEMBERS' ALLOWANCES (Minute 457/96)

The Sub-Committee considered the report of the Director of Finance detailing the current scheme for the payment of Members' Allowances and options available in respect of establishing a scheme for the next financial year.

During debate Members felt that proposed option 2 in respect of Group Leaders could be supported. With regard to the Committee Chairman's allowance it was felt that the suggestions in the report could be supported and that a double attendance allowance arrangement should be introduced in respect of Sub-Committee Chairmen. Option 3 was the preferred option in respect of the sum available for main allowances. It was noted that the preferred options could be achieved within existing budget assumptions (the 1996/97 provision adjusted by inflation)

Councillor Mrs E M Hart wished it to be recorded that she was against any change to the existing allowance system, preferring suggested option 1 in respect of both Group Leaders allowances and the sum available for main allowances

In discussing other policy issues identified by the Director of Finance Members generally agreed that they had no objection to the existing position whereby double fees could be claimed on the rare occasions when two meetings are held on the same evening. It was also felt that no change was required to existing arrangements in respect of conference attendance

RECOMMENDED (1) That the scheme of Members' allowances for the 1997/98 financial year be as follows -

- (i) Groups Leaders allowance - a basic allowance of £400 per annum and an amount per Member of £23.30 per annum.
- (ii) Committee Chairman's allowance - an allowance of £490 per annum

- (iii) Sub-Committee Chairman's allowance - a double attendance allowance payment.
- (iv) Main allowance - a basic allowance of £600 per annum and an attendance allowance of £11 80 per meeting.

(2) That no change be made to the Council's existing policy in respect of claims submitted when two meetings are held on the same evening and claims for conference attendance (DF)

41 **FUTURE USE OF CIVIC SUITE, RAYLEIGH (Minute 480/96)**

Note: Councillor Mrs S J Lemon declared a non-pecuniary interest in respect of car parking facilities by virtue of an employment connection with the Doctors' Surgery referred to in the report

The Sub-Committee considered the report of the Director of Corporate Services detailing proposals and options available in respect of future use of the Civic Suite, Rayleigh

In addressing his report the Director advised that the organisation 'Relate' had now confirmed that they would appreciate access to room 1 (the Members' Smoking Room) on Tuesday mornings between the hours of 10 00 am and 12.30 pm The local Registry Office had expressed an interest in use of the Robing Room.

In response to questions from a Member the Director of Corporate Services advised that, should it be decided not to locate Planning and other Specialist Officers at the Civic Suite, the approximate costings in respect of networking costs could be reduced from £8,500 to £3,000 He confirmed that any future reports in respect of the Registry Office would include reference to potential income and could include comment on the Registry Office's recently acquired remit in respect of civil marriage ceremonies A Member commented that the Chairman of the Council's Room was relatively under-used and referred to the possibility that, should the Registry Office make use of the Robing Room, a storage facility could be introduced in the ante room of the Chairman's Suite.

During discussion of the proposal that a formal agreement be completed between the Council and Rayleigh CAB, the Director of Law & Administration advised on the effects of the Landlord and Tenant Act 1954 (as amended) Given that a formal agreement is likely to be treated as a business tenancy it would be advisable for the Council to seek a Consent Order waiving the Tenants rights under the 1954 Act to continue in occupation at the end of that lease Agreements with other organisations using the premises would have to be considered in the light of the circumstances surrounding their occupation. In considering the length of any agreement with the CAB, Members felt that three years was an appropriate term. It was also felt that financial provision should be made in the revenue budget towards the cost of providing additional office space for the CAB, rather than provision in the grants budget

RECOMMENDED (1) That the Director of Law & Administration completes a formal agreement between the Council and Rayleigh CAB with regard to its occupation of the Civic Suite, Rayleigh, the agreement to be for a term of three years and to provide for the waiving of the Tenants rights to hold over under The Landlord and Tenant Act 1954

(2) That provision of £3,700 be made in the 1997/98 Revenue Budget towards the cost of providing additional office space for Rayleigh CAB

(3) That provision of £5,700 be made in the 1997/98 Revenue Budget to improve the emergency planning function and communication facilities at the Civic Suite

(4) That the Transportation & Environmental Services Committee consider car parking arrangements for the Civic Suite in the light of this Sub-Committee's proposals

(5) That the Director of Environment report on the Council wide implications of access for the disabled to the next meeting of the Corporate Resources Sub-Committee.

(6) That further consideration of replacement audio visual facilities be deferred pending the decision regarding Wickford

(7) That the Chairman of the Council's Room be used for Committee call-overs

(8) That the current Emergency Control Room be allocated for use by the Rochford Crossroads Care Attendant Scheme.

(9) That Officers enter into discussions with the Registry Office regarding use of the Robing Room.

(10) That Committee Room 1 (the Members' Smoking Room) be allocated for the sole use of 'Relate' on Tuesday mornings

(11) That Officers investigate rating of the Civic Suite building and report back. (27620) (D Cor S)

42 **A MORE RESPONSIVE NOISE SERVICE (Minute 635/95)**

The Sub-Committee considered the report of the Chief Environmental Health Officer on the Noise Act 1996 (which would allow local authorities to adopt various powers to deal with noise from domestic premises at night) and the need to review the provision of noise control services.

The Chief Environmental Health Officer advised that it was unlikely that the guidance due to be published in respect of the new noise legislation and the provision of noise control services would be available prior to this Council's budget cycle.

RECOMMENDED (1) That £15,000 be included in the draft budget for 1997/98 to enable a more responsive noise service to be developed

(2) That further reports be made to the Environmental Health Sub-Committee on the Noise Act 1996 and the guidance on the provision of noise control services (6759) (CEHO)

43 **PROCEDURE FOR QUARTERLY PERFORMANCE REPORTS**

The Sub-Committee considered the report of the Director of Corporate Services on the options available in respect of the availability of quarterly performance reports

During debate Members noted that some of the information within the performance reports had to be produced to accord with Citizens Charter requirements. In response to a Member question the Director of Finance advised that, whilst global figures were always available, it would be very costly in terms of resources to introduce a system of quarterly budget updates in respect of each Committee

The Sub-Committee concurred with the view of a Member that all individual Members of the Council should have the opportunity to consider the way forward with regard to performance reports

RECOMMENDED That the future provision of the quarterly performance report document be considered in the light of a survey of the views of all Members of the Council (D Cor S)

44 **REDUNDANCY AND EARLY RETIREMENT POLICIES (Minute 385/96)**

The Sub-Committee considered the report of the Director of Finance on the need for a review of the Council's early retirement policy and detailing the options available in this respect

Members received a presentation from the Director on this matter, during which questions of clarification were addressed. Following the presentation it was agreed that the meeting should be suspended for a period, Officers being asked to withdraw to enable informal Member discussion

On re-convening the meeting it was:-

RECOMMENDED (1) That persons retiring under the age of 50 receive a payment representing a maximum of thirty weeks salary at an enhanced rate of actual salary using the Council's existing calculations

(2) That persons retiring over the age of 50 receive the same payment as detailed in (1) above and a pension based on actual earnings, no years being added

(3) That the following arrangements apply in respect of early retirement on the grounds of efficiency of service:-

- (i) Such retirement to be Chief Officer initiated only.
- (ii) Chief Officers to make their recommendations on the release of Officers to the appropriate Committee, every case being considered on its merits
- (iii) With regard to added years -
 - (a) The maximum allowance to be $6\frac{2}{3}$ rd years.
 - (b) No proposal for added years to exceed a period of forty years when added to reckonable service
 - (c) Such years to only be added in cases where an Officer has served with the Council for a minimum period of five years (DF)

45 **LONG SERVICE SCHEMES (Minute 207(c)/96)**

The Sub-Committee considered the report of the Chief Executive on the possibility of formalising a scheme for the reward of long service by Council employees

Members agreed that the current ad hoc arrangements should be formalised and:-

RECOMMENDED That the following scheme be introduced in respect of long service.-

LONG SERVICE SCHEME

Eligible Staff

On retirement employees with twenty or more years continuous service with Rochford District Council, including service with the former Rochford Rural and Rayleigh Urban District Councils

Award

£10 for every completed year of continuous service, as detailed above. The Officer to purchase their choice of gift with reimbursement being made by the Finance Directorate on receipt of the invoice. Officers may select a gift of a higher value if they wish to personally meet the additional cost.

Presentation

A Long Service Award Certificate be presented to the Officer by the Chairman of the Council at Full Council (CE)

46 **MANPOWER STATEMENT**

The Sub-Committee received the report of the Chief Executive detailing the Council's manpower levels and incorporating the quarterly joint staffing watch figures for the quarter ended 13th September 1996.

47 **STAFF SICKNESS LEVELS**

The Sub-Committee received the report of the Chief Executive detailing the quarterly statistic reports on sickness levels.

48 **EXCLUSION OF THE PUBLIC**

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following items of business on the grounds that they involve the likely disclosure of Exempt Information as defined in Paragraphs 9 and 11 respectively of Part 1 of Schedule 12A of the Act.

49 **REPLACEMENT TELEPHONE SYSTEM (Minute 480/96)**

The Sub-Committee considered the confidential report of the Director of Corporate Services detailing proposals for replacing the Council's telephone system, including the specification and approved contractors list. The Council's telephone consultant was in attendance to answer questions on the technical aspects of the proposed specification.

RECOMMENDED (1) That the specification detailed in the report of the Director of Corporate Services be approved.

(2) That the list of contractors detailed in the report of the Director of Corporate Services be approved.

(3) That the specification be put out to tender to the list of approved contractors and a report detailing the purchase and lease options together with detailed cost benefit statements be presented to the next meeting of the Sub-Committee (D Cor S)

50 **VARIATIONS TO ESTABLISHMENTS**

The Sub-Committee received the confidential report of the Chief Executive detailing variations to the establishment for the period 1st July 1996 to 30th September 1996.

51 **PERTINENT BUSINESS**

(i) Delegations

Members noted that a report on Officer delegations would be submitted to the Sub-Committee following the return of the Chief Executive from sick leave.

(ii) Chief Executive's Absence

Officers were asked to withdraw from the Meeting while the Chairman appraised the Sub-Committee of the current situation with regard to the Chief Executive's absence on sick leave.

RECOMMENDED (1) That, in view of the extra work load placed on the Director of Finance and Director of Environment as deputy Chief Executives, an honorarium of £400 a calendar month each be paid to these Officers from the first day of the Chief Executive's absence until his return to work

(2) That a special Meeting of Council be arranged if the Chief Executive does not return to work by the end of January 1997

(3) That Council accept that the arrangements to cover the Chief Executive's absence are working well and will be kept in place.

(4) That Officers should make arrangements for relocation within the offices to allow the Chief Executive and Deputy Chief Executives physically to work more closely together as a core unit of three, financial implications to be reported back to this Sub-Committee.

NOTE: During discussion of the above it was -

Resolved that Standing Order 18 be suspended to allow the remaining business to be transacted.

(iii) Standards of Fire Cover Review 1996

The County Council's Fire and Rescue Service had invited up to three representatives from the District Council to attend a presentation on the Fire Cover Review 1996 at County Hall on 6th December 1996.

RECOMMENDED That Councillors P A Beckers and M J Handford, together with a representative from the Labour Group, attend the Fire Cover Review presentation on this Council's behalf (DE)

ROCHFORD DISTRICT COUNCIL

FINANCE & GENERAL PURPOSES COMMITTEE - 3 DECEMBER 1996

Minutes of the Compulsory Competitive Tendering Panel

At a meeting held on 29 November 1996

Present: Councillors Mrs J Helson (Chairman), D E Barnes, V D Hutchings, Mrs J Giles and C.R. Morgan

17 MINUTES OF THE MEETING OF 23 SEPTEMBER 1996

The Minutes of the meeting of 23 September were agreed as a correct record

18 MEMBERS' INTERESTS

None

19. REVIEW OF CCT REGULATIONS

The Director of Finance outlined a third set of revised regulations which had recently been received from the Department of the Environment, a summary of which is appended to these Minutes

Most percentages of services to be market tested had changed yet again, the new basis being broadly 50% of salary costs. The level of housing stock had been amended to 2,500, which took Rochford out of Housing CCT, unless Wickford transfers.

The new regulations are due to be laid before Parliament in January 1997, for implementation 18 months later. This gives an extra three months before CCT of Revenue Services has to be implemented.

The main overall result of the change as far as Revenue Services is concerned is that a lower level of client side staff and a higher level of contractor side staff will be required

20 "SCANDAL AT COUNTY HALL"

Members watched a video of the recent BBC Panorama programme on the subject of CCT at Surrey County Council

21 "FILE ON 4"

Members heard an audio recording of a recent BBC Radio 4 programme dealing with CCT.

Note: Both these tapes are available for loan from the Director of Finance to any Member who would like to borrow them.

22 MEMBERS' ITEMS OF BUSINESS

None.

23. PERTINENT BUSINESS AND ANY OTHER ITEMS

Members discussed the possible advisability of budgets relating to services subject to CCT being kept private and confidential

RECOMMENDED That estimates relating to those areas of the budget which will be subject, either now or in the future, to CCT, should be considered in private and confidential session and the published estimates should only contain a summary of costs for those areas. (DF)

Proposed Changes to Competition Percentages

| <u>The Specified Activities</u> | <u>Existing</u> | <u>Proposed</u> |
|----------------------------------|-----------------|-----------------|
| Construction & Property Services | 65% | 65% |
| Legal | 45% | 45% |
| Finance | 35% | 50% |
| Personnel | 30% | 40% |
| IT | 70% | 40% |
| Housing | 95% | 95% |



[Handwritten mark]

Changes to De Minimis Levels

| <u>The Specified Activities</u> | <u>Existing</u> | <u>Proposed</u> |
|----------------------------------|-----------------|---------------------------------|
| | £ '000 | £ '000 |
| Construction & Property Services | 450 | 450 300 |
| Legal | 300 | 300 |
| Finance | 300 | 300 |
| Personnel | 400 | 400 300 |
| IT | 300 | 300 |
| Housing | 500 | 500 2,500 Properties |

Timetable

| <u>The Specified Activities</u> | <u>Date to start Annual Calculation</u> | <u>Regulations In Force</u> |
|----------------------------------|---|---------------------------------|
| Construction & Property Services | Oct. 97 | Jan 98 |
| Legal | Oct. 97 | Jan 98 |
| Finance | Apr. 98 | Jul. 98 |
| Personnel | Apr. 98 | Jan 98 |
| IT | Apr. 99 | Jan 98 |
| Housing | | |



Stages to Calculate the Competition requirement

$$T - (A + B) - (C + D + E)$$

T = The cost of the work for the specified activity
Less - Re - charges from other specified Activities
Less - Staff under the 50 % rule

A to E = The credits available to reduce the Competition requirement

A = Credit for indirectly contracted out work.
Still not clear of the limitations of this credit. At the moment it is taken to be the service lost when other contracts were let. E.G. As regards Finance - Salaries and Wages staff removed when the refuse , Street Cleansing and Grounds maintenance contracts were let and staff concerned with the financial control of Leisure etc.

B = Bought in Goods and Services
This will have the effect of removing all items other than services provided directly by the Local Authority work force. (Items purchased through CCT process are dealt with separately)

At this stage the calculation is made to see if the work is De Minimis

The calculation is $T - (A + B) \times$ competition free allowance (100 % minus Competition %)

If the product is less than the De Minimis then the allowance is the De Minimis.

Taking 1 T as an example with a De Minimis of £ 300,000 and competition requirement of 40 %

If the cost of the service [$T - (A + B)$] is £ 400,000 then the allowance is
60 % of this cost

I.E. 60 % of £400,000 = £240,000 but use £ 300,000

D = Credit for work exposed to VCT (i.e. prior to CCT)

E = Credit for work exposed to CCT (whether awarded outside or won in - house)



What does this all mean ?

On rough calculations - costs will need to be defined e.g. to exclude staff under the 50 % rule)

Taking the draft figures from the 97/98 estimates and applying the assumed credits :-

| | <u>T - (A + B)</u> | <u>De Minimis</u> | <u>Competition Requirement</u> |
|----------------------------------|----------------------|-------------------|--------------------------------|
| Construction & Property Services | 278,000 | 300,000 | Nil |
| Legal | 226,500 | 300,000 | Nil |
| Finance | 1,100,000 | 300,000 | 550,000 |
| Personnel | 100,000 | 300,000 | Nil |
| IT | 432,000 | 300,000 | 132,000 |
| Housing | N / A | 2,500 props. | Nil |

**** Note - No action has been taken to re package elements of cost

Applying the remaining credits

| | <u>Competition Requirement</u> | <u>Credits C to E</u> | <u>Net Requirement</u> |
|---------|--------------------------------|-----------------------|------------------------|
| Finance | 550,000 | Nil | 550,000 |
| IT | 120,000 | 300,000 | Nil |

In meeting this requirement the value of Revenues is around £ 550,000

This cost will however depend on the level of Client Side that is retained

It is possible that with the clarification of the process more Finance services may be tested e.g. Audit or Financial Services.

Chairman:

[Signature]

Date:

28/1/97

ROCHFORD DISTRICT COUNCIL

Minutes of the Planning Services Committee

At a Meeting held on 5th December 1996 Present Councillors Mrs J.M. Giles (Chairman), G C Angus, D E Barnes, P A Beckers, C.I Black, M.C Brown, S Cumberland, D F. Flack, D M. Ford, Mrs H.L A Glynn, Mrs J. Hall, M J Handford, N. Harris, Mrs J Helson, V C Howlett, Mrs. M Hunnable, Mrs. A R. Hutchings, V.D Hutchings, V H. Leach, Mrs. S.J. Lemon, C.R. Morgan, Mrs P.M.V. Pearse, R.A Pearson, Mrs G M Plackett, T A. Powell, P J Stanton, Mrs. W.M Stevenson, Mrs. M S. Vince, R E. Vingoe, D A. Weir and Mrs M.A Weir

Apologies: Councillors E L Francis, Mrs E.M. Hart, A. Hosking, D J Sutton and S R Tellis

584 MINUTES

Resolved that the Minutes of the Meeting of 31st October 1996 be approved as a correct record and signed by the Chairman

585 MEMBERS' INTERESTS

Members' interests relating to the Schedule of Development Applications and Recommendations (Minute 587) were received as follows:

Para D2 Councillors Mrs J M Giles and C.R Morgan declared a non-pecuniary interest as being this Council's representatives on the Warehouse Project Management Committee.

Para 6: Councillors N Harris, Mrs. A R. Hutchings, V D Hutchings and R E. Vingoe declared a non-pecuniary interest by virtue of knowledge of the applicant.

Para 10: Councillor Mrs W.M Stevenson declared a pecuniary interest

586 SUBMISSION OF LANDSCAPING DETAILS UNDER CONDITION 5 OF PLANNING PERMISSION REFERENCE F/0671/94/ROC - "CONSTRUCT SEVEN FISH FARMING PONDS AND ERECT PORTABLE SHED FOR STORAGE OF FISH FOOD" -AT HOCKLEY ANGLING CLUB, FISHING LAKES, GOLDSMITH DRIVE/McCALMONT DRIVE, RAYLEIGH

The Committee considered the report of the Director of Environment with regard to a complaint from a nearby resident concerning alleged unauthorised works to earth embankments around the eastern fishing lake at the above site. Officers presented an ordnance survey based plan of the overall current site layout in relation to the complainant's property, also confirmed that the Council's Woodlands & Environmental Officer considered the landscaping appropriate for the intended purpose and that the blue cedar trees should be planted at 2m centres

The Committee noted that planning permission had been granted in 1992 for the "construction of fishing lake" but that the application did not specify construction details. That a subsequent application was granted in 1994 to "construct seven fish farming ponds and erect portable shed for storage of fish food" and this included plan annotation and that spoil from the construction be placed on existing landscaping banks on the western and northern side of the eastern lake, but that such earth embankment works were not specifically included in the description of the development.

Members considered the issues raised by the applicant's agent and the complainant and felt that as feelings of the two parties ran deep, an outcome on which they would both agree would be most unlikely. Members believed that the berberis landscape planting on the top of the mound, conifer screen at its base and reduction in height of the two walkway links across the western embankment would help alleviate the situation, as would the fencing detailed along the walkways to deny access to the top of the embankments and the movement of one of the lakeside swim

The Committee considered that the proposals addressed the complaints raised and would mitigate against the effect of the increased earth embankments

Resolved that the Director of Environment be instructed to agree the landscaping details pursuant to Condition 5 of application F/0671/94/ROC in respect of the earth embankment submitted by the applicants as set out in the letter from JTS Partnership dated 30th August 1996, letter from Mr and Mrs Payne dated 17th October 1996, enclosures and resubmitted plans dated October 1996, and letter from Mr Payne dated 19th November 1996. In addition, subject to the complete implementation of the submitted landscaping scheme within the current planting season (October 1996 to March 1997 inclusive), that no further action be taken in respect of the alleged breach of control reported above. (DE)

587 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS

The Director of Environment submitted a Schedule for consideration and a list of Planning Applications and Building Regulation Applications decided under delegation.

Resolved that decisions be made in accordance with the recommendations in the appended Schedule subject to

AD/0485/96/ROC - Rochford Hundred Rugby FC, Magnolia Road, Rochford

Pursuant to Standing Order 26 2 the Chairman admitted as urgent this item which had been referred by a Member from Weekly List 346.

The Committee accepted the recommendation for approval

Para 6: F/0537/96/ROC - Adjacent Finches Lodge, Hockley Road, Rayleigh

Consideration of this item was deferred for a Members' site visit

Resolved that arrangements be made for a Members' site visit. (DLA)

Para 8: OL/0527/96/ROC - R/o 61 - 69 Louis Drive, Rayleigh

The Director of Environment explained that concern had arisen in relation to the hedgerow along the southern boundary, reported the views of the Woodlands and Environmental Officer as well as the opinion of an earlier Appeal Inspector. Arising from this consideration the applicant's agent had submitted a revised plan and details of the detached garage serving plots 2 and 3 which improved the relationship

The Committee accepted the recommendation on the basis of the revised plans and appropriate conditions

Para 10: CU/0554/96/ROC - 169 High Street, Rayleigh

NOTE Councillor Mrs. W M Stevenson left the Meeting whilst the matter was discussed

Application refused for the following reason:

The proposal is likely to give rise to short term parking within the highway, such parking in close proximity to a very busy road junction, would give rise to general conditions of danger and obstruction to other road users to the detriment of highway safety.

588 SUSPENSION OF STANDING ORDERS

During discussion of Para 10 on the Schedule of Development Applications and Recommendations it was

Resolved that Standing Order 1 8 be suspended to allow transaction of that one item of business.

DEFERRED ITEMS

Because of the lateness of the hour, it was

Resolved that the meeting be adjourned and that the following items on the Schedule of Development Applications and Recommendations be deferred and considered on 12th December 1996 -

Para 11 - F/0565/96/ROC
Para 12 - CU/0510/96/ROC
Para 13 - CU/0511/96/ROC
Para 14 - F/0619/95/ROC
Para 15 - F/0325/96/ROC
Para 16 - F/0326/96/ROC

and the added item on the agenda The Town & Country Planning (General Permitted Development) Order 1995 - Proposed New Permitted Development Right to Extend the Garden of a Dwellinghouse

JB

SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY

PLANNING SERVICES COMMITTEE 5TH DECEMBER 1996

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and local plans issued or made thereunder. In addition, account is taken of any guidance notes, advice and relevant policies issued by statutory authorities.

Each planning application included in this Schedule and any attached list of applications which have been determined under powers delegated to the Director of Environment is filed with all papers including representations received and consultation replies as a single case file.

All building regulation applications are considered against the background of the relevant building regulations and approved documents, the Building Act, 1984, together with all relevant British Standards.

The above documents can be made available for inspection as Committee background papers at the office of the Director of Environment, Acacia House, East Street, Rochford.

g.B.

PLANNING SERVICES COMMITTEE 5TH DECEMBER 1996

DEFERRED ITEMS

- D 1 F/0338/96/ROC ALEX BUSHELL
ERECT SEVEN 2-BED AND EIGHTEEN 3-BED DWELLINGS &
GARAGES, FORMATION OF VEHICULAR ACCESS, LAYOUT AND
CONSTRUCT ESTATE ROAD AND PRIVATE DRIVES
LAND EAST OF CAVERSHAM PARK AVENUE RAYLEIGH
- D.2. F/0445/96/ROC JOANNE CLARK
EXTEND OPENING HOURS ON 2 SUNDAYS IN EVERY 4 WEEK
PERIOD FROM 10 00PM TO 11.00PM WITHOUT COMPLIANCE
WITH COND. 7 OF APP CU/0451/92/ROC (FOR MUSIC
EVENTS FOR CHRISTIAN YOUTH GROUPS) (REVISED
SUBMISSION FOLLOWING F/0284/96/ROC)
7-9 BROOK ROAD RAYLEIGH

REFERRED ITEM

R 3

F/0495/96/ROC LYNNE GOWERS
CONSTRUCT PONTOON PIER
SHUTTLEWOODS BOATYARD WATERSIDE ROAD PAGLESHAM

SCHEDULE ITEMS

4. F/0515/96/ROC JOANNE CLARK
ERECT SIDE EXTENSION (PART TWO STOREY AND PART
SINGLE STOREY) AND NEW VEHICULAR ACCESS (REVISED
SUBMISSION FOLLOWING APPLICATION F/0362/96/ROC)
1 SILVER DALE RAYLEIGH
5. CU/0314/96/ROC JOHN WHITTAM
CHANGE USE OF REDUNDANT FARM BUILDINGS TO STORAGE
TEMPLE FARM SUTTON ROAD ROCHFORD
6. F/0537/96/ROC JOANNE CLARK
ERECT 4-BED DETACHED HOUSE WITH ATTACHED GARAGE TO
FRONT (RESUBMISSION FOLLOWING APPLICATION
F/0243/96/ROC)
ADJ FINCHES LODGE HOCKLEY ROAD RAYLEIGH

JB

- 15 F/0325/96/ROC STEVEN GOUGH
ERECT NINE 4-BED DETACHED DWELLINGS, FORMATION OF
VEHICULAR ACCESS, LAYOUT AND CONSTRUCT ESTATE ROAD
SITE OF LABURNUMS & NORFOLK LODGE RAWRETH LANE
RAWRETH
16. F/0326/96/ROC STEVEN GOUGH
ERECT SEVENTY SIX 4-BED DETACHED DWELLINGS & TEN 2-
BED SEMI-DETACHED & TERRACED DWELLINGS, FORMATION
OF VEHICULAR ACCESS, LAYOUT AND CONSTRUCT ESTATE
ROAD
BET THE LABURNHAMS & TRYNDEN HAZE RAWRETH LANE
RAWRETH

JB - 1

PLANNING SERVICES COMMITTEE

5TH DECEMBER 1996

SCHEDULE OF DEVELOPMENT APPLICATIONS, WITH DIRECTOR'S
RECOMMENDATIONS, FOR DETERMINATION AT THIS COMMITTEE

D 1

F/0338/96/ROC RAYLEIGH TOWN COUNCIL AREA

LAND EAST OF CAVERSHAM PARK AVENUE RAYLEIGH

ERECT SEVEN 2-BED AND EIGHTEEN 3-BED DWELLINGS & GARAGES,
FORMATION OF VEHICULAR ACCESS, LAYOUT AND CONSTRUCT ESTATE ROAD
AND PRIVATE DRIVES

Applicant. BARRATT EASTERN COUNTIES

Zoning: Residential

Site Area: 6.5ha. (1.59a.) Density: 16d. per ha.

Deferred Report

- 1 1 This application was deferred by Members of the Planning Services Committee on 31 October 1996 for further consideration of the revised plans and to report thereon.
- 1 2 Members may recall that revised plans were submitted immediately prior to the last meeting. A reconsultation exercise has been carried out that expires on 28 November 1996. The report set out below incorporates a full consideration of those revised plans, reconsultation responses received at the time the report was drafted and the material planning issues arising therefrom

Planning Application Details

- 1 3 The application site is an enclave of vacant land within the residential zone and totals 0.6472 hectares (1.5992 acres) in area. It is bounded by residential dwellings to the north, south, west and the southern part of the east boundary. Immediately to the south and south east is the relatively new development off Downhall Park Way and to the north and west the more established residential properties off Rawreth Lane and Manns Way/Caversham Park Avenue. The southern boundary of the site has a mature hedgerow that offers an effective screen to the dwellings beyond. The main part of the eastern boundary abuts the "Quest End" industrial units. The boundary to the application site and the industrial site has a number of mature Poplars and a Willow that are protected by a Tree Preservation Order. The site has an existing vehicular access point off Caversham Park Avenue.
- 1.4 This full application (recently revised) proposes 25 dwellings comprising a varied mix of house types and sizes including two and three bed terraced, semi-detached and detached houses. A Type 4a minor access road with a Size 3 turning head will link the entire development to Caversham Park Avenue and serve direct, eight dwellings. The other dwellings are accessed through this road with three dwellings served via a Type 4b road and the remainder grouped informally around three private drives.

- 1 5 For purposes of clarity, the plans have been revised a total of four times during consideration of this application. The initial submission on 3 July 1996 was for 26 dwellings comprising eight 2 bed and eighteen 3 bed dwellings. There were subsequently two further revisions that maintained the total number of dwellings at 26, the submission on 18 September 1996 comprised nine 2 bed and seventeen 3 bed dwellings and on 15 October 1996 ten 2 bed and sixteen 3 bed dwellings. The current plan, dated 31 October 1996, shows 25 dwellings comprising seven 2 bed and eighteen 3 bed dwellings. There have also been various incremental modifications to the layout in each revision to the plan and Ward Members, Chairman of Planning Services Committee and Officers have met with the developers.

Relevant History

- 1 6 Outline application ref. OL/0495/90/ROC for four detached houses on a small part of the southern end of the application site was submitted but subsequently withdrawn on 24 September 1990 due to land ownership and access difficulties.

Consultations and Representations

- 1 7 Twenty four letters of representation have been received from **LOCAL RESIDENTS** objecting on the following grounds:

- loss of privacy/overlooking,
- overbearing physical effect due to close proximity;
- loss of light,
- overdevelopment/out of character development,
- proximity of industrial units;
- excessive traffic generation which will exacerbate problems of highway safety, congestion, pollution and parking/general access constraints. The close proximity of the General Practitioners surgery is cited as being a cause of existing congestion/parking problems and residents are concerned that the traffic associated with the additional dwellings will make the situation worse;
- such high density development;
- overloading of inadequate sewerage system,
- loss of flora and fauna;
- loss of view;
- loss of open land;
- concern that the 'easement' may be used as a loop road;
- inadequate services in west Rayleigh to support the development;
- devaluation of property; and
- nuisance during construction.

- 1 8 Should the Local Planning Authority be minded to grant planning permission, a number of local residents have requested that consideration be given to the following matters:

- the hedgerow on the southern boundary be retained for amenity/screening purposes;
- construction traffic only be allowed outside normal 'rush' hours;
- access to the site be straight off Rawreth Lane with a traffic light controlled junction,
- the roads be kept clean during construction, and
- the drainage ditch on the southern boundary be retained and not filled in.

- 1.9 **RAYLEIGH TOWN COUNCIL** whilst acknowledging that the site is designated for residential purposes, are concerned that the density was higher than could be satisfactorily accommodated within the site, the existing infrastructure is inadequate for the additional vehicles generated, there are too many private drives and turning bays, and too few footways. The Council request that the natural boundary screening be retained and were hopeful that the scheme would be revised prior to determination.

- 1.10 The **COUNTY SURVEYOR** raises no objections in principle but requests minor amendments to the plans to satisfy standards; the imposition of appropriate highway related conditions; and the inclusion of a number of informatives on the decision notice
- 1.11 The **COUNTY PLANNER (SPECIALIST DESIGN ADVISOR)** recommends a number of modifications to both the layout and the design of the house types. Officers have negotiated amendments to the plans in response to the consultee's comments which are discussed later in this report
- 1.12 **ANGLIAN WATER** raise no objections subject to the imposition of a condition requiring details of foul and surface water drainage.
- 1.13 The **ENVIRONMENT AGENCY** (formerly the National Rivers Authority) raise no objections subject to the imposition of a condition requiring details of a surface water regulation system and that an informative relating to the culverting of watercourses be included on the decision notice.

FIRST RECONSULTATION EXERCISE (EXPIRED 11 OCTOBER 1996)

- 1.14 In response to the comments and suggestions raised by the consultee's above, Officers were able to negotiate a number of modifications to the layout. The scale of the modifications were such that further consultations were required. The responses to the reconsult are set out below.
- 1.15 Nine letters of representation were received from **LOCAL RESIDENTS** which reiterated previous objections and comments.
- 1.16 **RAYLEIGH TOWN COUNCIL** were not convinced that the revisions represented a sufficient improvement. They expressed the wish to see a less intensive development so as to ensure that the criteria on garden sizes and separation were met.
- 1.17 The **COUNTY PLANNER (SPECIALIST DESIGN ADVISOR)** remains unsatisfied, both in terms of layout and design of house types, and recommends that further modifications be made in both respects.
- 1.18 The **COUNTY SURVEYOR, THE ENVIRONMENT AGENCY** and **ANGLIAN WATER** all responded but raised no additional comments.

SECOND RECONSULTATION EXERCISE (EXPIRES 28 NOVEMBER 1996)

- 1.19 The most recent reconsultation exercise has yet to expire at the time of writing this report, however, to date the following representations and consultation responses have been received:
- 1.20 Three letters of representation were received from **LOCAL RESIDENTS** which reiterated previous objections and comments.
- 1.21 **ANGLIAN WATER** make no changes and refer the Authority to the initial consultation response.
- 1.22 Any further responses will be reported verbally at the meeting.

Summary of Planning Considerations

- 1.23 The principle planning considerations material to the determination of this application proposal are as follows:

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- Local Plan Policy,
- Housing design and estate layout;
- Residential amenity;
- Tree Preservation Order/hedgerow; and
- Highway safety

LOCAL PLAN POLICY

- 1 24 The site is zoned for residential purposes in the Local Plan First Review and in terms of strategic housing land release is a 'windfall' site that will constitute an intensification of the existing residential zone. The surrounding land use is primarily that of residential with the exception of the non-conforming but long standing industrial use at 'Quest End' and accordingly the development of this site for residential purposes is considered to be acceptable in principle
- 1 25 The proposal is subject to Policy H11, *Housing Design and Layout*, and the detailed technical policy considerations contained in Appendix One of the Local Plan First Review.
- 1.26 The proposal meets the minimum acceptable standards in respect of garden sizes and off street car parking provision. There is one example of a breach of the one metre separation standard, however in the case of Plot 14/15 it has been suggested that the standard be relaxed to enable greater isolation from the preserved trees adjacent to the dwelling on Plot 13 and the hedgerow adjacent to the dwelling on plot 16.
- 1.27 In terms of density, para. A1.5.2 requires estate development to normally achieve 30dph. (12dpa.) subject to necessary variation to meet local conditions. The density of the scheme is 38.6 dwellings per hectare (15.63 dwellings per acre).

HOUSING DESIGN AND ESTATE LAYOUT

- 1.28 Considerations in this regard hinge around the Department of the Environment's *Planning Policy Guidance Note 1 - General Policy and Principles* which sets out, inter alia, the involvement Local Planning Authorities should have in matters of design and layout. This document is currently being revised with an additional emphasis placed on design and, whilst only in draft form, specifically identifies the appearance of proposed development and its relationship to its surroundings as being a material consideration in determining planning applications and appeals. It also requires that Local Planning Authorities should reject poor designs which are out of scale or character with their surroundings.
- 1 29 The development of this site was the subject of extensive informal discussions prior to the submission of this application. The applicants initially proposed the erection of 31 dwellings on the site and it was recommended the number be reduced to enable a greater flexibility towards matters of estate design and the relationship with the adjacent dwellings, the preserved trees, and the industrial uses.
- 1 30 The applicants have indicated early on in the discussions that 26 dwellings was the minimum number of dwellings that would enable the development of this site to become economically viable although Officers maintained the request to reduce the numbers further and it is within this context that all negotiations taken place. Following discussions about the Officer's recommendation to the Planning Services Committee on 31 October 1996, the plans were revised to show 25 dwellings. Notwithstanding this fact, the total number of bedrooms proposed remains the same at 68.
- 1 31 The revisions to the layout were essentially in response to the design suggestions made by the County Planner and in response to the Officer's recommendation of refusal. The applicants have made only minor fenestration revisions to the standard house types.

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1.32 It is considered that the layout as presented to the Committee is inappropriate in terms of its relationship with the character of the surroundings areas. In general terms the density of dwellings per hectare is well above that of the adjacent residential areas. For ease of reference the comparative densities are as follows: the northern section of the Downhall Park Estate has a density of 28.6 dwellings per hectare (11.33 dwellings per acre); Farm View has a density of 18 dwellings per hectare (7.2 dwellings per acre); and Manns Way has a density of 20 dwellings per hectare (8.1 dwellings per acre). These densities compare with the proposed density on the application site of 38.6 dwellings per hectare (15.63 dwellings per acre).

1.33 Notwithstanding the revisions to the layout, it is felt that the applicants have not demonstrated that site dimensions are adequate for the size, type and number of dwellings proposed. Such concerns are further exacerbated when set against the other principle constraints set out below.

RESIDENTIAL AMENITY

1.34 This remains the area of most concern. The relationship between the proposed and existing dwellings has been improved to a certain extent following recent negotiations with the applicants, although concerns remain in particular in relation to the dwelling known as 1, Caversham Park Avenue which has dwellings sited at right angles to it and its rear garden with limited isolation distances between that will give rise to a general loss of privacy and overbearing effect. The relationship of a number of units to each other within the scheme remains poor and in part the recent revisions demonstrate a backward step in terms of the layout opening up the views northwards in the proposed private drive to existing rear gardens of properties in Rawreth Lane.

1.35 Furthermore, whilst meeting the minimum standards, some garden areas are dominated by preserved tree canopies and are excessively close to the adjacent industrial uses. It is considered that the layout should be further revised to achieve greater space and separation to address these remaining concerns.

TREE PRESERVATION ORDER/HEDGEROW

1.36 The boundary of the site that abuts the non-conforming industrial uses has established Poplar trees and a Willow which are the subject of Tree Preservation Order 15/93. Whilst there are no dwellings proposed directly within the crown spread of any of the trees, a number of rear gardens are dominated by the canopies which will give rise to long term pressure for remedial works or removal of the trees.

1.37 The hedgerow on the southern boundary of the site has matured so as to provide an effective screen to the residential properties beyond and also provide a natural means of visual enclosure. The revised layout now achieves adequate isolation from the hedge.

HIGHWAY SAFETY

1.38 The site has an existing access off Caversham Park Avenue that is of an appropriate size to serve the number of dwellings proposed and, subject to a number of minor revisions, the internal layout and car parking provision meets the standard set out in the Essex Design Guide for Residential Areas.

1.39 A number of local residents have expressed concern about the numbers of vehicle movements that will result and have requested that consideration be given to an additional access onto Rawreth Lane. The County Surveyor has indicated that would result in an unacceptable number of access points onto this stretch of Rawreth Lane and will be detrimental to general highway safety.

Conclusions

- 1 40 Members will see from the above report that Officers and more latterly Ward Members and Chairman of Planning Services Committee have been involved in detailed negotiations concerning this application. Officers concerns centre on the space and separation within the layout and in terms of the amenities of both existing and future occupiers. The applicants maintained that 26 units was their minimum viable number, although they have now reduced the application to 25 units. Nonetheless, Officers consider that all the elements necessary to make an acceptable scheme have not come together. Officers do however, recognise that if the Committee support the provision of smaller units on this site, as proposed by the applicants and applicants are unable to reduce numbers further, then some of the spacial concerns may have to be put aside

Recommendation

- 1 41 The Director of Environment recommends that this application be refused for the following reasons:

01 NON STANDARD REFUSAL

The erection of 25 dwellings in the manner proposed would result in an unacceptable 'overdevelopment' of the site in an insular and congested disposition of dwellings, incorporating elements of a substandard layout, which is out of character with the pattern and spacing of dwellings surrounding the site. Furthermore, if permitted, the relationship between existing and proposed dwellings would, in part, be unacceptable by virtue of overlooking and overbearing physical effect that would be detrimental to the amenities the occupants of surrounding dwellings could be reasonably expected to enjoy

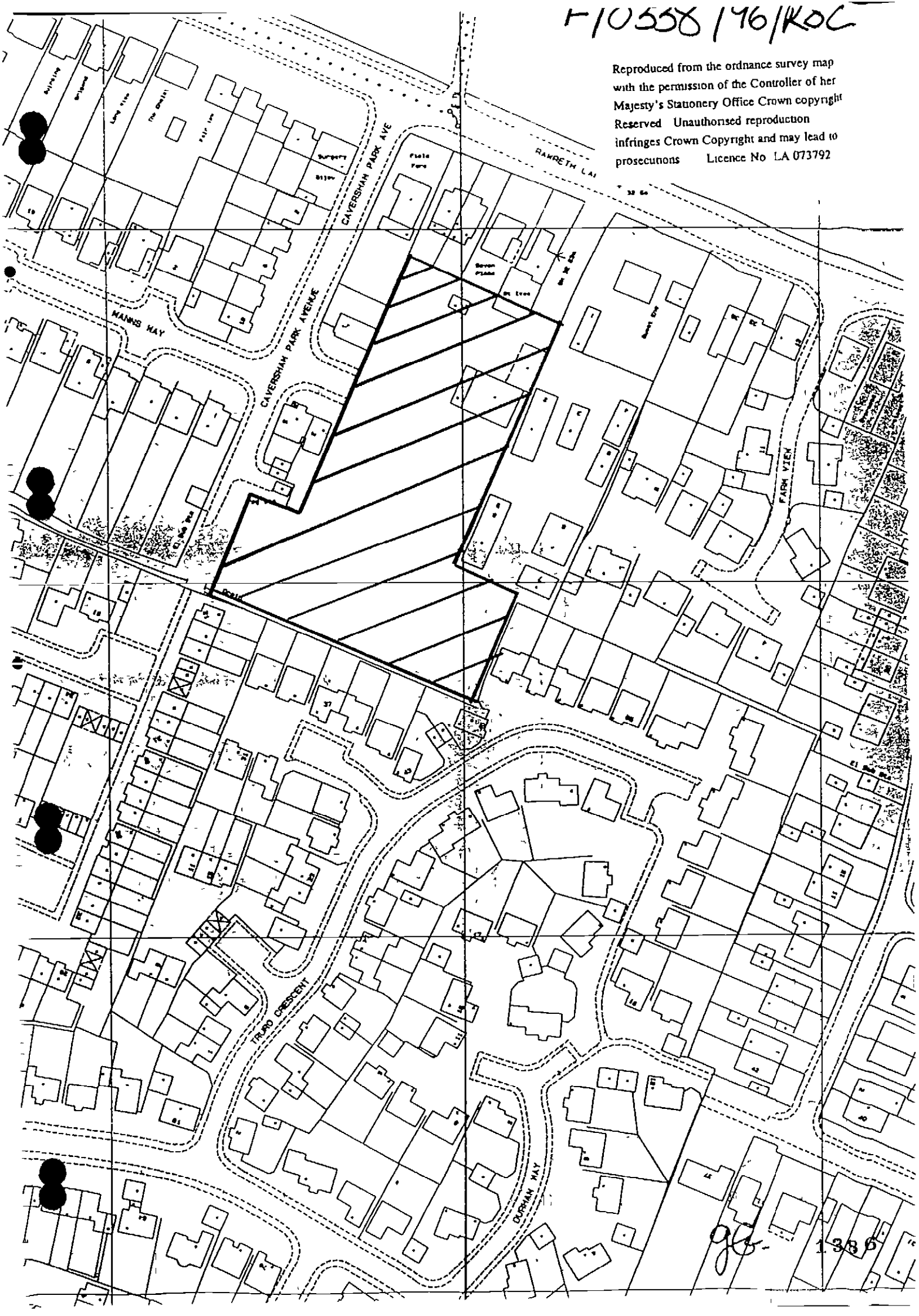
02 NON STANDARD REFUSAL

The erection of dwellings, in such close proximity to the canopies of several mature trees included within Tree Preservation Order no. 15/93, would, if permitted, result in the loss of amenities that prospective occupants of the dwellings could reasonably expect to enjoy by virtue of the overshadowing of the private amenity space associated with the dwellings, together with the loss of light to a number of habitable rooms and impact from the non-conforming industrial uses along this boundary. Such loss of amenities is likely to give rise to long term pressure for works to the trees that would be detrimental to the long term well being of important amenity trees

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F/0445/96/ROC - RAYLEIGH TOWN COUNCIL AREA7-9 BROOK ROAD RAYLEIGH

EXTEND OPENING HOURS ON 2 SUNDAYS IN EVERY 4 WEEK PERIOD FROM 10.00PM TO 11 00PM WITHOUT COMPLIANCE WITH COND 7 OF APP CU/0451/92/ROC (FOR MUSIC EVENTS FOR CHRISTIAN YOUTH GROUPS) (REVISED SUBMISSION FOLLOWING F/0284/96/ROC)

Applicant: ACTIVE CHRISTIAN TRUST

Zoning. Industrial

Planning Application Details

- 2.1 Members will recall that this application was originally put before Committee on 3rd October but was deferred for further negotiations with the applicant in respect of a Legal Agreement. By the 31st October Committee meeting matters had still not been resolved and the application was once more deferred.
- 2.2 Following detailed discussions, the applicant is now agreeable to entering into a Legal Agreement covering the following:
 - restricting the number of attendees to a maximum of 175
 - keeping a register of the number of attendees and the churches from which they have come.
- 2.3 The applicants seek to extend the opening hours of part of the Warehouse Centre on two Sundays in every 4 week period, from the current closing time of 10pm, to 11.00pm. The stated purpose is to provide a venue for music and drama activities of church-based youth clubs who would use the facility, following evening church services
- 2.4 The parts of the building involved are shown on the application plan and comprise two main rooms on the ground floor which would be soundproofed.
- 2.5 The Warehouse Centre is on the edge of the Brook Road Industrial Estate. It adjoins a business known as ASL and there are further business premises to the north and east. The only other leisure use nearby is a Go-karting centre. To the west is Weir Gardens, a residential area; the nearest dwelling is 56m building to building from the Warehouse Centre
- 2.6 Members will have received supplementary information, provided by the applicant, explaining the aims of the Warehouse Centre, the facilities it offers, the people it caters for and the catchment area it covers.

Relevant Planning History

- 2.7 The current proposal is a revised submission following the refusal of a similar proposal (ref F/0284/96/ROC) at the July Planning Services Committee meeting. The difference is that the current application proposes to extend the opening hours to 11 00pm rather than 11.30pm as previously. An appeal has been lodged against this decision.
- 2.8 Planning consent was given in 1993 for the change of use of these formerly industrial warehouses to use for sport, recreation and community use (CU/0451/92/ROC). This was a personal consent, solely for the benefit of The Active Christian Trust.

- 2 9 Numerous conditions were attached to the permission including one (condition 7) which states that 'The premises shall not be used outside the hours of 8am to 11pm Monday to Saturday and 9am to 10pm Sundays unless otherwise agreed in writing by the Local Planning Authority', this being the condition which the current application seeks to vary.
- 2 10 Other conditions required sound insulation of rooms in which music is played including the Music Club and Music Practice Room which forms part of the current application site. The applicant has stated that all the conditions that apply to work already carried out have been met. However those that relate to the Music Club and Music Practice Room have not yet been complied with as this last phase of conversion work has not yet been carried out and is currently under consideration for funding as a result of a major grant application

Consultations and Representations

- 2.11 **RAYLEIGH CIVIC SOCIETY** states that despite the earlier closing time now proposed, they have the same concerns as previously, these being that the proposal may lead to problems of noise and anti-social behaviour by those leaving the premises up to midnight. In addition they point out that factories in the Brook Road and Totman Crescent area have experienced security problems which may be worsened by allowing later opening hours
- 2 12 Following wide consultation, 10 **LOCAL RESIDENTS** have submitted individual written representations, 9 being objections from residents of Weir Gardens, St Martins Close and Mortimer Road, and 1 in support from a resident of Weir Gardens. In addition a petition of objection has been submitted, signed by the occupants of 4 dwellings in Richmond Drive. Their objections are made on the following grounds. noise and general disturbance from youths and their cars; noise from music inside the centre; vandalism and violence, dropping of litter; an industrial estate not being a suitable place for such uses; and 11.00pm being an unacceptable time of closing, current problems experienced in the area becoming worse. The representation in support of the application points out that the facilities are very good and benefit a large number of people, young and old.
- 2 13 **DR. MICHAEL CLARK, M.P. FOR RAYLEIGH** has written to express the objections of the residents of 7 Weir Gardens who have submitted individual objections on the grounds that people leaving the Warehouse Centre are noisy and sometimes disruptive.
- 2.14 The **COMMUNITY LIAISON OFFICER** has also described the fears of an additional resident, from St Martins Close, who has experienced problems of disturbance, vandalism and threatening behaviour by people leaving the Warehouse Centre.
- 2.15 **BROOK ROAD INDUSTRIAL WATCH** has objected strongly fearing that an extension of opening hours will exacerbate problems already experienced on the Industrial Estate in terms of petty crime and vandalism. Particular reference is made to recent incidents where the Police were called due to children on factory roofs and vandalism to vehicles.
- 2.16 1 **LOCAL BUSINESS** has objected strongly, this being Universal Cycles which occupies 18,19,21,23 and 25 Totman Crescent, to the rear of the Warehouse Centre. They re-state their previous concerns that any situation which encourages people to wander about the estate and their warehouses after normal business hours should be discouraged, and add that they already suffer regular vandalism e.g. recent fire damage to skips.
- 2.17 The **COUNTY SURVEYOR** raises no objections and **CASTLE POINT BOROUGH COUNCIL** has no objections.

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- 2 18 The **CHIEF ENVIRONMENTAL HEALTH OFFICER** has no objections in principle, having regard to the specific nature of the proposals
Members attention is however drawn to the concerns that some residents have about the increased potential for problems of noise and disturbance off-site, such problems cannot be controlled by Environmental Health Legislation.
- 2 19 **ROYAL LONDON ASSET MANAGEMENT** have submitted objections. They act as managing agent for The Royal London Mutual Insurance Society Limited, owner of the Warehouse Centre premises which are leased to Barnardos Publications and sub-let to the Active Christian Trust (the current applicants). They object for the following reasons. the extended opening hours would be contrary to the leasehold documentation in place, damaging effect on the amenity of nearby residents; young people would be present on the estate during the late evening which would be detrimental to the security of the estate as a whole

Summary of Planning Considerations

- 2 20 Clearly the principle of community, sport and recreational usage of the warehouses has already been established and, although this has proved to be a controversial issue with some local residents, this current application should be decided on the basis of whether an extension of the opening hours of part of the Warehouse Centre from 10pm to 11.00pm on 2 Sundays in every 4 week period would have such a significant impact on material planning grounds that a refusal of consent could be justified.
- 2 21 The main concerns are:
- * noise and general disturbance
 - * residential amenity
- 2 22 The nearest residential property is 56m building to building from the Warehouse Centre. There is a grassed buffer strip and a line of mature trees to the rear boundaries of the properties in Weir Gardens.
- 2.23 The applicants consider that there is a need to provide facilities for young people to use after leaving evening church services at various churches in the area including, amongst others, the following churches in Rayleigh: the Baptist Church, Holy Trinity, St Michaels, the United Reform Church and the Methodist Church, and in Thundersley, the Congregational and St Peters. They consider that the current closing time of 10pm on Sundays does not allow sufficient time for any worthwhile activities to take place to cater for the youngsters who generally leave church at around 8.00-8.30pm
- 2 24 The applicant ideally would like no restriction on the numbers of people attending the proposed activities on Sunday evenings, however such restriction is considered to be crucial in terms of minimising any disturbance to local residents
- 2 25 Discussions relating to a Legal Agreement covering numbers and the keeping of a register have been going on since the previous application submitted in June 1996. The Director of Environment proposed a maximum number of 150 attendees however the applicant considered 300 to be more reasonable. The earlier application was therefore refused permission on the grounds that:

'The proposed use would result in late night activity occurring with large numbers of persons leaving the premises at unsociable hours and generating noise and disturbance detrimental to the amenities of the occupiers of adjacent residential properties'.

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- 2.26 Subsequently the current application was made, reducing the proposed opening hours to 11.00pm. Initially the applicant was not willing to enter into the Legal Agreement proposed by the Director and proposed a maximum number of 200 attendees. The application was deferred for further negotiations.
- 2.27 Agreement has now been reached between the applicant and the Director that a maximum figure of 175 attendees is acceptable. This figure is considered to be a reasonable compromise following the extensive negotiations which have taken place on this proposal.

Recommendation

- 2.28 That the Director of Environment be instructed to negotiate a Section 106 Agreement in respect of extended opening hours, covering the following matters:
- Restricting the number of people attending the Warehouse Centre for the purposes stated to 175 (excluding staff) at all times during the extended opening hours.
 - A register being kept, being available for inspection by the Local Planning Authority at all times, recording the numbers of people attending during the extended opening hours events and the churches from which they have come.
- 2.29 That subject to this Agreement being completed to the satisfaction of the Council Solicitor, the application be approved subject to the following conditions:

01 NON STANDARD CONDITION

The permission shall be limited to a period expiring one year from the date of this permission, at which time the hours of opening shall revert to those stipulated in the planning permission dated 29th June 1993 (ref. CU/0451/92/ROC).

02 NON STANDARD CONDITION

This permission shall be limited to the part of the building identified on the application plan, date stamped 27th August 1996, by Christian youth groups for purposes of music and drama during the hours of 10.00pm - 11.00pm on any two Sundays in a four week period (i.e. the extended hours). Such activities shall cease and the premises shall close by 11.00pm and no members of the general public shall use the premises during these extended hours of opening.

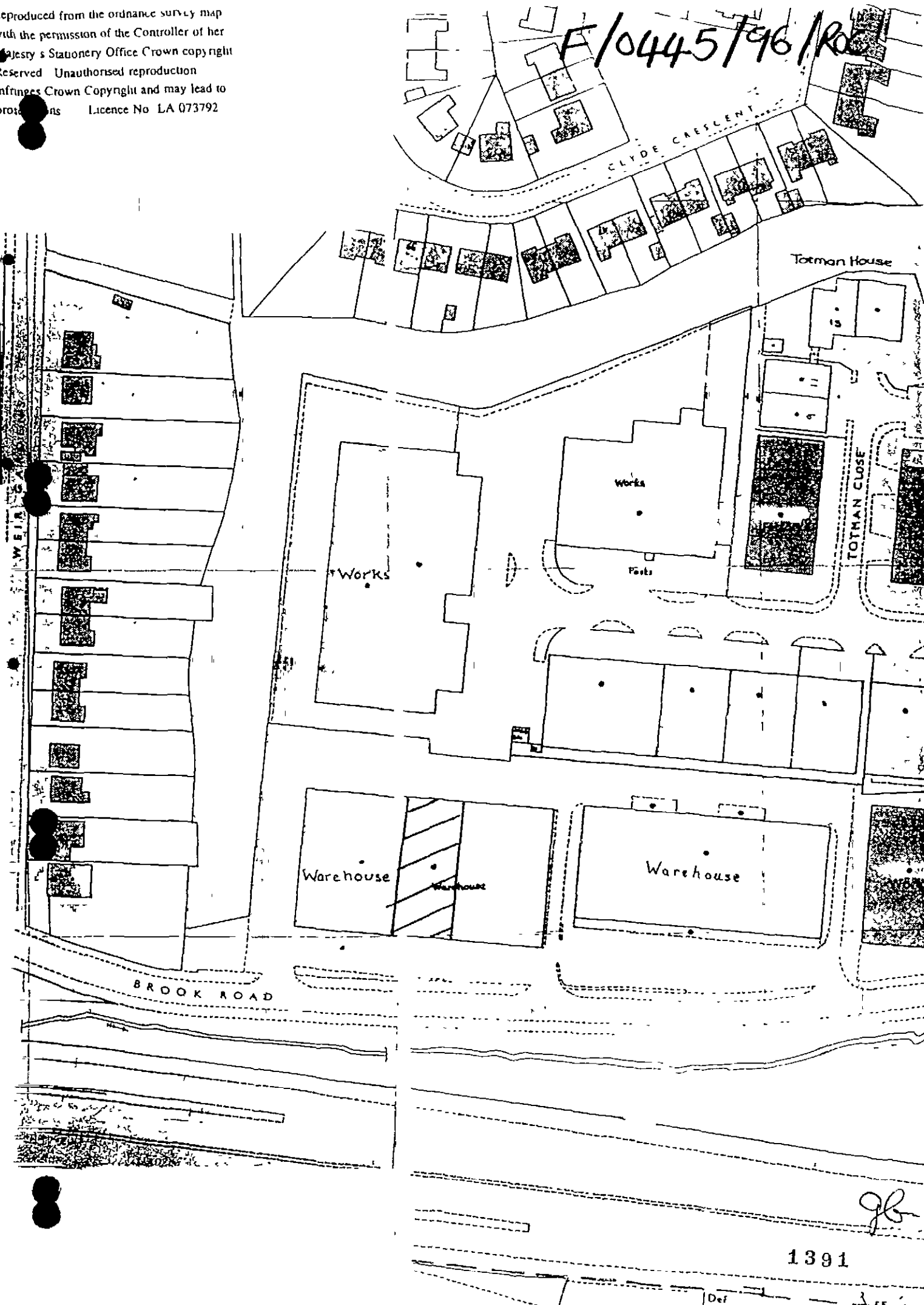
03 NON STANDARD CONDITION

Details of soundproofing of the parts of the building which this application relates to shall be submitted to and agreed in writing by the Local Planning Authority. Such soundproofing shall be carried out prior to the implementation of this permission.

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(From Weekly List 344)

Referred by Councillor J Stanton

Applicant. Paglesham Boatyard Ltd

F/0495/96/ROC
PARISH OF PAGLESHAM

Zoning: Metropolitan Green Belt, Roach Valley Nature
Conservation Zone, Special Landscape
Improvement Area, Site of Special Scientific Interest

SHUTTLEWOODS BOATYARD WATERSIDE ROAD PAGLESHAM

CONSTRUCT PONTOON PIER

NOTES

- 3.1 This application relates to a proposed pontoon which would project 90 metres beyond the existing rigid structure, then continue at right angles to the projection, parallel to the shore, for a distance of 40 metres either side of the projection. The applicant states that the pontoon is essential for the efficient running of the boatyard, an essential safety requirement for people getting into and out of boats and would also provide a service to visitors and tourists.
- 3.2 Planning permission was granted on appeal in 1975 and 1990 for the formation of car park and boat storage area and a new building for boat building and repairs respectively
- 3.3 Planning permission was refused in June 1989 under reference ROC/929/88 for the construction of a new quay and pontoon pier and concrete over an existing hardstanding for reasons of increased levels of noise and pollution, conflict with Structure and Local Plan policies, visual intrusion and loss of an area of saltmarsh and mudflat.
- 3.4 Policies LT11 and RC9 of the Rochford District Local Plan First Review give priority to the protection of the rural and undeveloped areas of the coastline and inlets
- 3.5 Policy LT12 of the Rochford District Local Plan First Review relates to the provision of pontoons and moorings and, in the preamble to the policy, states a need to retain the special character of the estuary which, also taking into account the lack of adequate water at Rochford at low tide, limit opportunities for development.
- 3.6 Furthermore, the site is located within a Special Landscape Area (Policy RC7); where there is a presumption against development unless its location, siting, design, materials and landscaping accord with the character of the area and within a Site of Special Scientific Interest (Policy RC3), where proposals which adversely affect such areas will normally be refused. The site is also within the Roach Valley Nature Conservation Zone (Policy RC5), where development prejudicial to the retention and management of important wildlife habitats and their inter-relationships will not normally be permitted.
- 3.7 **PAGLESHAM PARISH COUNCIL** have reiterated the views which were expressed in connection with the 1988 application and object to the current proposal on the grounds of detriment to visual amenity, increased traffic generation and contrary to Structure and Local Plan policies **ANGLIAN WATER** make no comments and the **ENVIRONMENT AGENCY** raise no objections. The **COUNTY SURVEYOR** raises no objections to the proposal on highway grounds. The **CHIEF ENVIRONMENTAL HEALTH OFFICER** has no objections in principle subject to a condition regarding method of construction and hours of work. The **ROACH AREA FAIRWAYS AND CONSERVATION COMMITTEE**, although not objecting in principle, make several comments regarding design, restriction of mooring times, safety, boat storage, launching and landing

- 3 8 **ENGLISH HERITAGE** considers that, whilst the proposal will have no significant direct effect on the wildlife interest of the SSSI, concern is expressed regarding tidal flows being affected, which may result in an accelerated erosion of saltmarsh and subsequent undermining of the sea wall and an undesirable precedent for development in a relatively undeveloped area. The **CROUCH HARBOUR AUTHORITY** does not object to the proposal subject to the "T" end of the jetty being limited to 30 metres and lit at night, piling limited to low water neap mark and boats not permitted to permanently berth alongside the "T" end.
- 3 9 Nine letters have been received from **LOCAL RESIDENTS** objecting to the proposal on the grounds of increased noise, disturbance and traffic generation, intrusive appearance, detrimental effects on the river and development contrary to Structure and Local Plan policies.

REFUSE

01 NON STANDARD REFUSAL

It is the opinion of the Local Planning Authority that the proposal would significantly increase the levels of noise, disturbance and probable pollution from craft and persons using the River Roach, adjacent watercourses, adjoining land and Waterside Road, to the detriment of:-

- a) internationally important and general nature conservation interests of the Site of Special Scientific Interest and Roach Valley Nature Conservation Zone.
- b) the general appearance of the area which is within the Metropolitan Green Belt and a Special Landscape Area
- c) the amenities of the residents of Waterside Road and Paglesham Village and persons wishing to enjoy the open and quiet character of this coastline.

01 CONT.

In these respects the development is considered to be contrary to Policies NR6, NR8, NR12 and NR18 of the Essex Structure Plan Second Alteration and Policies LT11, LT12, RC3, RC5, RC7 and RC9 of the Rochford District Local Plan First Review.

02 NON STANDARD REFUSAL

It is the opinion of the Local Planning Authority that the proposed pontoon, together with an increase in the number of boats and visitors to the site, would result in a significant intrusion into an open and relatively undisturbed coastline, the loss of an area of saltmarsh and mudflat to the detriment of nature conservation interests contrary to the aforementioned policies as well as Essex Structure Plan Policy S9 and Policy GB1 of the Rochford District Local Plan First Review.

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F/0515/96/ROC RAYLEIGH TOWN COUNCIL AREA1 SILVER DALE RAYLEIGH

ERECT SIDE EXTENSION (PART TWO STOREY AND PART SINGLE STOREY) AND NEW VEHICULAR ACCESS (REVISED SUBMISSION FOLLOWING APPLICATION F/0362/96/ROC)

Applicant. MRS B PURVIS

Zoning: Residential

Planning Application Details

- 4.1 This is a re-application following refusal of a similar extension at Committee on 3 10 96 (ref F/0362/96/ROC)
- 4.2 The application seeks to enlarge an existing semi-detached dwelling by erecting a 2 storey side extension which comprises a garage with bedroom and en-suite above, together with a single storey rear/side extension which would project 2.4m from the rear of the existing house.
- 4.3 The single storey element of the extension would be close to a mature Oak tree which lies outside the application site.
- 4.4 A vehicular access is also proposed to serve the new garage. The existing garage to the rear is to be demolished, and the existing boundary wall is to be replaced by a 1.8 metre fence.

Relevant Planning History

- 4.5 The application now before Members represents the third set of proposals for an extension to this dwelling. The original application, submitted in July 1996 ref. F/0362/96/ROC was for an entirely two storey extension. The side elevation, which included only one opening, was considered to be visually oppressive, and strong neighbour representations were submitted. Revisions were requested and a much improved scheme was submitted comprising a part two storey and part single storey extension, with an additional opening. Neighbour objections were sustained. This revised application was brought before Committee for approval, however, permission was refused for the following reason.

'The proposed extension by reason of its size, scale, siting and form would present a stark and dominant feature in this prominent corner location. This would be out of character with and detract from the appearance of the area generally, and the Daws Heath Road street scene, due to its forward siting relative to the established pattern of development therein. It could also threaten the longevity of the existing Oak tree in Daws Heath Road due to its close proximity to the tree's canopy and roots to the further detriment of the character of the area.'

- 4.6 The current application differs from the refused application in two main ways:
- * The width of the first floor section (bedroom and en-suite) has been reduced by 0.5 metre;
 - * The single storey sitting room now projects 0.5 metre from the flank wall, closer to the Oak tree.

Consultations and Representations

- 4.7 All parties originally consulted were re-consulted in respect of the new application.

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- 4 8 **RAYLEIGH TOWN COUNCIL** no objection provided it does not result in overlooking or reduced the garden area unacceptably
- 4 9 The **COUNTY ABORICULTURIST** advises "I would confirm that the foundations must be piled and I would be grateful if you could ensure that I receive details of the foundation design if planning consent is given for the extension to be built
- 4 10 I consider that the side elevation will be too close to the outer edge of the crown and the Oak will also significantly reduce the amount of natural light to the side of the extension."
- 4 11 The **COUNTY SURVEYOR** has no objections to the proposal subject to standard conditions.
- 4.12 Six letters of representation have been received from **LOCAL RESIDENTS**, three of objection, one of concern and two in support. The grounds of objection are in the main as follows: the large size of the extension, which would result in over-development and only a small garden remaining, the development extending beyond the existing 'building line'; the visual impact on the area; the impact on the nearby Oak tree; the impact on surrounding properties in terms of 'hemming in' and overlooking, potentially dangerous vehicular movements to and from the new access which is near to the junction with Daws Heath Road; setting a precedent for similar development in the area.
- 4 13 The resident who expresses concern considers this application an aesthetic improvement the previous application but is concerned regarding potential impact on the Oak tree. The residents in support of the application state that the extension will improve the appearance of the property, and that the new access will relieve the congestion in Silverdale.

Summary of Planning Considerations

- 4 14 The principle planning considerations material to the determination of this application are as follows:
- * Local Plan policy
 - * Visual amenity
 - * Residential amenity
 - * Impact on Oak tree

LOCAL PLAN POLICY

- 4.15 Appendix 1 (Part A1 4 8) of the Local Plan sets out the relevant criteria to consider in relation to extensions and the proposals comply with these in all respects.

VISUAL AMENITY

- 4.16 The proposed extension is reasonably large and, as local residents have pointed out, it would project beyond most other dwellings along Daws Heath Road. However due to the alignment of the road and existing trees lining the road, it is considered that the development would soon be absorbed into the residential fabric of the area. In respect of neighbours comments relating to the 'building line', there is no such specific planning criteria.

RESIDENTIAL AMENITY

- 4.17 Residential amenity should be considered in terms of both the impact on outlook from surrounding properties and any overlooking from the extension. There is considered to be sufficient separation between the proposed extension and neighbouring dwellings such that their outlook will not be significantly impaired.

gjb

4 18 Overlooking is most relevant in relation to the two nearest dwellings which are no. 156 Daws Heath Road, to the rear of the application site, and no. 2 Silverdale which adjoins the application dwelling. The impact on no. 156 Daws Heath Road is not unacceptable as the extension's patio doors and a first floor bedroom window would face onto the front garden and drive of this property, not into the rear garden or any main rooms, and there is an existing boundary hedge which provides screening. The impact on the adjoining dwelling which itself has a single storey rear extension, would be minimal and the residents of this property support the application.

IMPACT ON OAK TREE

4 19 The Oak tree in question lies outside the application site, on a grass verge and the single storey part of the extension would extend out to a distance of 1.2m from the trunk of this tree. This land comprises the 'maintainable highway verge' and as such the tree is under the control of the County Council as Highway Authority who have stated they would not wish to see the tree removed or cut back (which would be drawn to the applicant's attention by means of an informative on the decision notice).

4.20 The views of the County Arboriculturist are presented in full above. Clearly whilst the comments are somewhat guarded he has not raised an objection to the proposal, and appears to lean towards approval given his request for piled foundations and future sight of any foundation designs.

4 21 Conditions are recommended in respect of the relationship to the tree

Conclusion

4.22 Officers consider the improvement in the reduction in the bulk of the first floor extension is offset by the more contrived design of the ground floor side projections. The fact the extension and drain work is now even closer to the Oak tree is of concern but given the County Arboriculturist's view, on balance the recommendation is for approval.

Recommendation

4 23 The Director of Environment recommends that this application should be approved subject to the imposition of the following conditions.

01 TIME LIMITS-FULL-STD SC4

02 MATERIALS TO BE USED SC14

03 PD RESTRICTED OBS GLAZING SC23

04 HEDGEROW TO BE RETAINED SC55

05 NON STANDARD CONDITION

Full details of the foundations required for the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority prior to any work commencing. These shall be pile foundations as shown on the revised application drawing no 2381/96.

06 NON STANDARD CONDITION

The foul water drain which needs to be re-located to enable the erection of the extension hereby permitted, shall be located in the position shown on the revised application plan no. 2381/96 unless otherwise agreed in writing by the Local Planning Authority.

07 NON STANDARD CONDITION

The vehicular access and garage hereby permitted shall not be used by vehicular traffic before.

- a) details of the surfacing materials to be used in the hardstanding/driveway have been submitted to and agreed in writing by the Local Planning Authority. and
- b) a 2.1m x 2.1m visibility splay is provided allowing unobstructed visibility of pedestrians using the adjoining footway, to the north-east of the new access at its junction with the adjoining highway. Once provided, the said visibility splay shall thereafter be retained and maintained in its approved form, free of obstruction above a height of 600mm above the finished surface of the approved vehicular access.

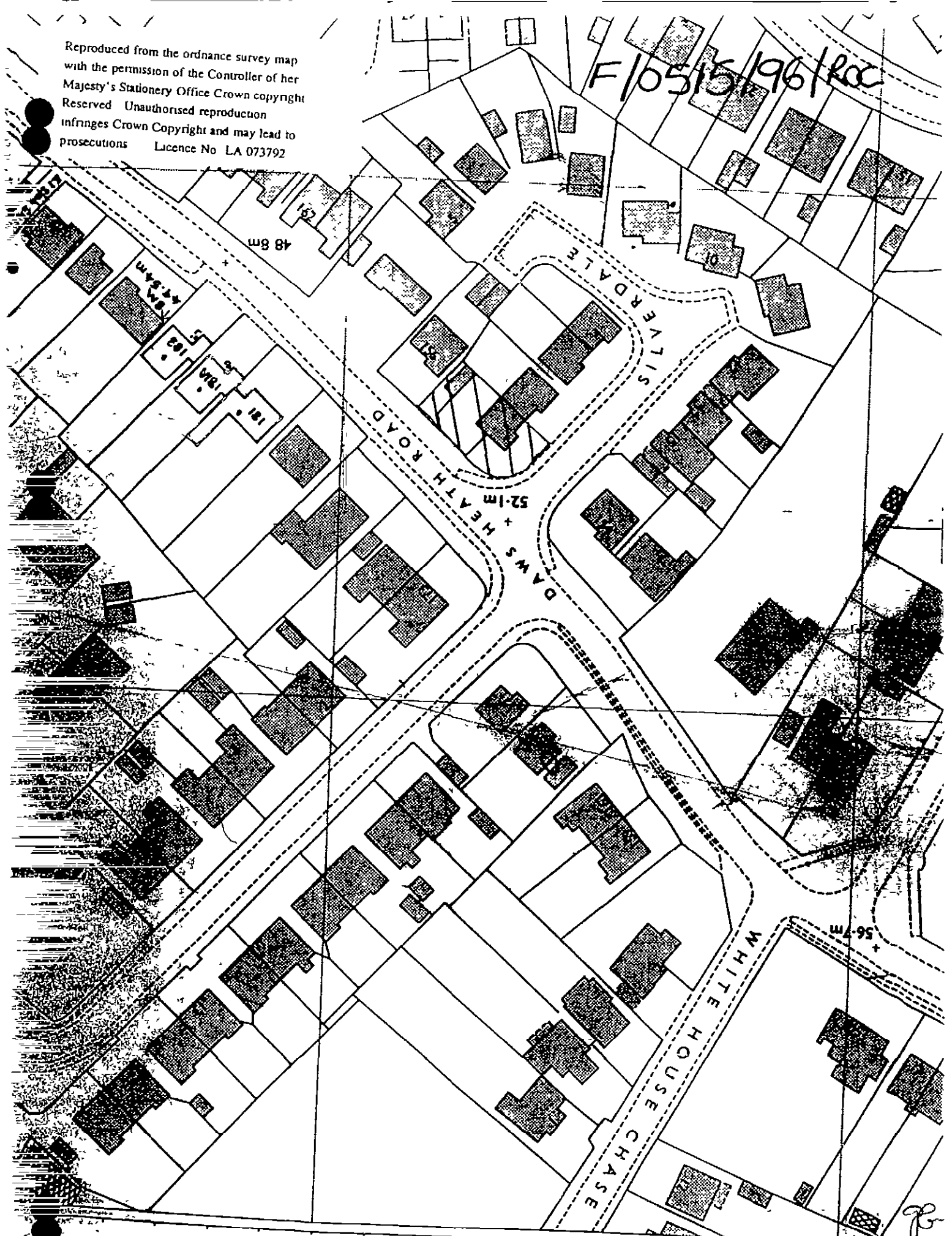
08 NON STANDARD CONDITION

The vehicular access and garage hereby permitted shall not be used by vehicular traffic before a wall or fence measuring 300mm-600mm in height has been provided between points X and Y on the approved plan, the details of which shall previously have been agreed in writing by the Local Planning Authority. Once constructed, the said wall or fence shall be retained and maintained in its approved form. Furthermore, notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that order, with or without modification), no other walls fences or means of enclosure shall be erected between or adjacent points X to Y.

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F/05/15/196/200



HEIGHTS IN METRES
RAYLEIGH WHITEHOUSE WARD
CHIFFORD DISTRICT

CU/0314/96/ROC PARISH OF SUTTONTEMPLE FARM SUTTON ROAD ROCHFORD

CHANGE USE OF REDUNDANT FARM BUILDINGS TO STORAGE

Applicant. MR J W ROBINSON

Zoning. Metropolitan Green Belt

Application Details

- 5.1 The applicants are seeking to change the use of farm buildings now redundant in respect of their original purpose which included some barn storage and cattle sheds. The buildings in question at present form part of a group around a courtyard the eastern arm of which is to be demolished together with some within the courtyard itself as they are beyond economic repair. The buildings to remain are generally in a poor state of repair though the fabric is intact and the external walls and roof trusses are structurally stable. Some areas of wall and roof will have to be replaced or repaired together with all roof coverings (existing materials are predominantly tiles but with some corrugated steel sheeting) if the buildings are to be utilised for the purpose applied for.
- 5.2 The site is located to the east of Sutton Road and will be accessed via an existing access onto that road. Although in the Green Belt the site is on the periphery of the Temple Farm Industrial Estate (within Southend-on-Sea Borough Councils' jurisdiction). Parking for six cars is proposed together with turning facilities for heavy goods vehicles within the site. There is an embankment and Public Footpath to the southern boundary of the site. Except for the northern flank wall of the existing buildings the remaining boundaries to the site are generally open in character though there is a hedgerow to the edge of Sutton Road to the north of the site access.
- 5.3 There are a number of other buildings within the application site area which are to be repaired/retained and used for agricultural purposes together with a wooden stables building.
- 5.4 Since the application was submitted the applicants have deleted reference to distribution in the description of development. There is no specific operator or operators specified within the application details.
- 5.5 The applicant owns adjoining land which extends to at least 100 acres and is farmed.

Relevant History

- 5.6 There have been a number of applications on this site of a commercial though not always agricultural nature.
- 5.7 Application CU/0564/91/ROC for a cemetery on the application site plus adjoining land was granted planning permission on 7th April 1992. This was a duplicate of application CU/0003/91/ROC subject of an appeal to the Secretary of State for the Environment, against non-determination. The Planning Services Committee had considered the original proposal on 4th July 1991 and voted to accept a recommendation of approval subject to conditions and a section 106 Legal Agreement (minute 371 para D1). However as an appeal had been lodged the Council were not able to issue a decision. The appeal was however held in abeyance pending the determination of CU/0564/91/ROC.

- 5.8 Application F/0333/93/ROC to "demolish buildings and erect single storey "U" shaped building comprising of 14 place residential training school for people with learning disabilities, construct access road, layout parking and erect 3m high boundary fence" refused planning permission on 2nd September 1993 as contrary to Green Belt Policy. Part of the justification for demolition and erection of new buildings it was submitted that the buildings were not structurally worthy of retention.
- 5.9 A subsequent application F/0531/93/ROC for an almost identical proposal was refused planning permission for the same reasons on 25th November 1993.
- 5.10 Application F/0043/95/ROC for the erection of a barn with access from Journeymans Way via the Temple Farm Industrial Estate for the storage of grain and farm machinery on land to the west outside the present application site but in the ownership of the current applicant. Planning permission was granted for this development on 22nd March 1995.

Consultations and Representations

- 5.11 The **COUNTY SURVEYOR** has no objection to the limited use of the site as indicated in the application details, however any expansion of the use of the site, with its subsequent increase in vehicle movements, will require access to be taken from the existing road network of Temple Farm Industrial Estate.
- 5.12 The **CHIEF ENVIRONMENTAL HEALTH OFFICER** reports that there is potential for noise and disturbance affecting nearby residents. No objections are however raised against the proposal subject to appropriate conditions being imposed on any planning permission issued.
- 5.13 The **ROCHFORD HUNDRED AMENITY SOCIETY** state that they support any views expressed by the **SUTTON PARISH COUNCIL** who have not commented
- 5.14 **SOUTHEND-ON-SEA BOROUGH COUNCIL** acknowledge that although Government advice as set out in PPG2 on Green Belts supports the re use of agricultural buildings the use should be appropriate to a Green Belt location This is a particularly sensitive area and whilst it would not object in principle to a suitable re use of these buildings the Borough Council question their condition and suggest that demolition and clearance of the land would be more appropriate. More specifically the proposal reference to part clearance puts a question mark against the appearance of the use The land to the north is very flat and an open storage use could be very unsightly and out of character.

Summary of Planning Considerations

- 5.15 The applicable policies in this instance are GB1 which specifies the general planning approach towards all proposed new development within the green belt and GB5 which sets out the criteria against which specific applications for the conversion of unlisted redundant farm buildings are judged. The application of these policies must also be considered in the context of Government advice on the subject characterised in Planning Policy Guidance Note 2 (PPG2 (revised) on green belts and relevant recent appeal decisions.
- 5.16 Of the 9 criteria within the policy only 7 are relevant to this application as clause (viii) deals with conversions to residential use and (ix) buildings which are not redundant. Clause (i) precludes extensions or significant alterations and clause (ii) states that the development must not adversely affect the visual amenities of the open countryside and green belt and the amenities of local residents nor conflict with agricultural interests in the area thus precluding open storage uses. The applicants state that subject to some necessary refurbishment works the basic construction of the buildings is still sound and that they can be made usable without extensions and major alterations to the fabric of the buildings in this instance.

- 5 17 Criterion (ii) is substantially met by the fact that the application involves the use of existing buildings of mainly brickwork construction consistent with advice in PPG2 para 3.7 which states "...with suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there." There is no open storage proposed within the application details and the nearest residential dwellings within Sutton Road are remote from the buildings albeit near the access to the site and no representations have been received objecting to the proposal.
- 5 18 Clause (iii) addresses the importance of the adequacy of the access to the highway network and precludes schemes which would result in a significant increase in traffic movements such as distribution and open storage and clause (iv) is concerned with the provision of adequate off street parking in a location where there will be minimal impact on the visual amenities of the area. As already stated reference to distribution has been deleted from the application, the County Surveyor has no objection and there is an adequate turning and parking area to the front of the buildings secluded in the main by the storage buildings themselves. Additional means of enclosure and landscaping can be provided to reduce the impact and is dealt with by planning condition.
- 5 19 Criterion (v) details appropriate measures to limit the use of the buildings including making any permission of a temporary or personal nature by imposing planning conditions or entering into legal obligations with the respective owner/occupier. The applicants state that as distribution has been deleted they think that neither a temporary permission nor control via prior approval of the operator is justified. They hold the same view on the issue of a legal agreement and would prefer all matters to be dealt with by planning conditions. However, they will reluctantly agree if the local planning authority are insistent to the foregoing provisions rather than receive a refusal but ask that any temporary permission is for a period of 5 not 3 years.
- 5 20 Clause (vi) considers appropriate alternative uses and adopts a broad brush approach stating that each proposed use will be treated on its merits. For reasons already stated the current proposal is thought to be acceptable in principle in this instance though the precise operator is not known.
- 5.21 Clause (vii) generally prohibits retail sales and is addressed by planning condition.
- 5.22 Generally the proposal meets policy GB5 and subject to appropriate conditions is consistent with previous applications granted by the local planning authority, Government advice contained within PPG2 (paras 3.7 to 3.10 and Annex D) and the comments made by the Inspector when granting permission on appeal to application CU/0604/94/ROC for the change of use of part of a redundant farm building for storage and distribution of groceries at Lubards Lodge Farm on 31st July 1995.

Recommendation

- 5.23 The Director of Environment be instructed to negotiate a Section 106 Legal Agreement in relation to the above covering the following matters :
- i) prior approval of any operator(s) proposing to utilise the buildings for storage purposes;
 - ii) control of any proposed advertising material not otherwise controlled within the Town and Country Planning (Control of Advertisements) Regulations 1992.

01 TEMPORARY USES SC48 5 YEARS

02 PD RESTRICTED INDUSTRIAL SC24

03 USE CLASS RESTRICTION SC28

The permission hereby granted shall relate to the proposed use of the buildings identified by the letters A, B, C, D on the approved plan dated 28th October 1996 only and to no other existing buildings within the site. The buildings indicated by the letters 'A', 'B', 'C' and 'D' on the approved plan dated 28th October 1996 and shall only be used as storage buildings and for no other purpose, including any use otherwise permitted within Classes B8, B1 or B2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, (including any Order revoking or re-enacting that Order, with or without modification), or such uses ordinarily incidental to the use hereby permitted. Furthermore, there shall be no retail sales whatsoever from the buildings or elsewhere from the site whether incidental or otherwise to the use hereby permitted and under no circumstances shall any associated goods articles products or other materials together with any plant machinery or equipment whether or not requisite for the use of the buildings at any time be stored or otherwise deposited on any of the other areas of the site no specified above.

04 NON STANDARD CONDITION

Notwithstanding the provisions of Condition 3, details of any externally sited plant or machinery shall be submitted to and agreed in writing with the Local Planning Authority before the use of the building commences.

05 EXTRACT VENTILATION SC92

Details of any proposed extract ventilation system, air conditioning plant or similar equipment shall be submitted to and agreed in writing by the Local Planning Authority before the use of the building commences. Thereafter, any such plant/equipment shall be retained and shall only be operated as approved in writing by the Local Planning Authority.

06 MATERIALS TO MATCH SC15

The external facing and roofing materials to be used in the repair and refurbishment of the buildings marked A, B, C and D on the approved plan dated 28th October 1996 shall match (i.e. be of identical appearance to) those other corresponding areas of the existing buildings except the roof covering to buildings A, B and D. The roof covering to D shall match the roofing materials to C. The roof covering to A and B shall be agreed in writing with the Local Planning Authority prior to commencement. The repair and refurbishment work shall be carried out prior to the commencement of the storage use in accordance with details to be submitted to and agreed in writing with the Local Planning Authority prior to commencement and thereafter carried out and retained as agreed.

07 FLOODLIGHTS PROHIBITED SC34

08 HOURS OF DELIVERIES SC41

No deliveries shall be received or dispatched from, or other commercial operations carried out anywhere within the site outside the hours of 0700 (7.00am) to 1900 (7.00pm) each day Monday to Saturday, and 0900 (9.00am) to 1700 (5.00pm) on Sundays, Bank or Public Holidays.

09 NON STANDARD CONDITION

No gates, fences (including any required for security purposes and any related security devices such as barbed wire/cameras), walls or other means of screening or enclosure shall be erected within or to the perimeter of the site without the prior approval in writing of the Local Planning Authority, notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification). All works shall be carried out as agreed and retained thereafter in that condition.

10 TREE PLANTING DETAILS SC57

11 ENCLOSURE/SCREEN-DETAILS SC51

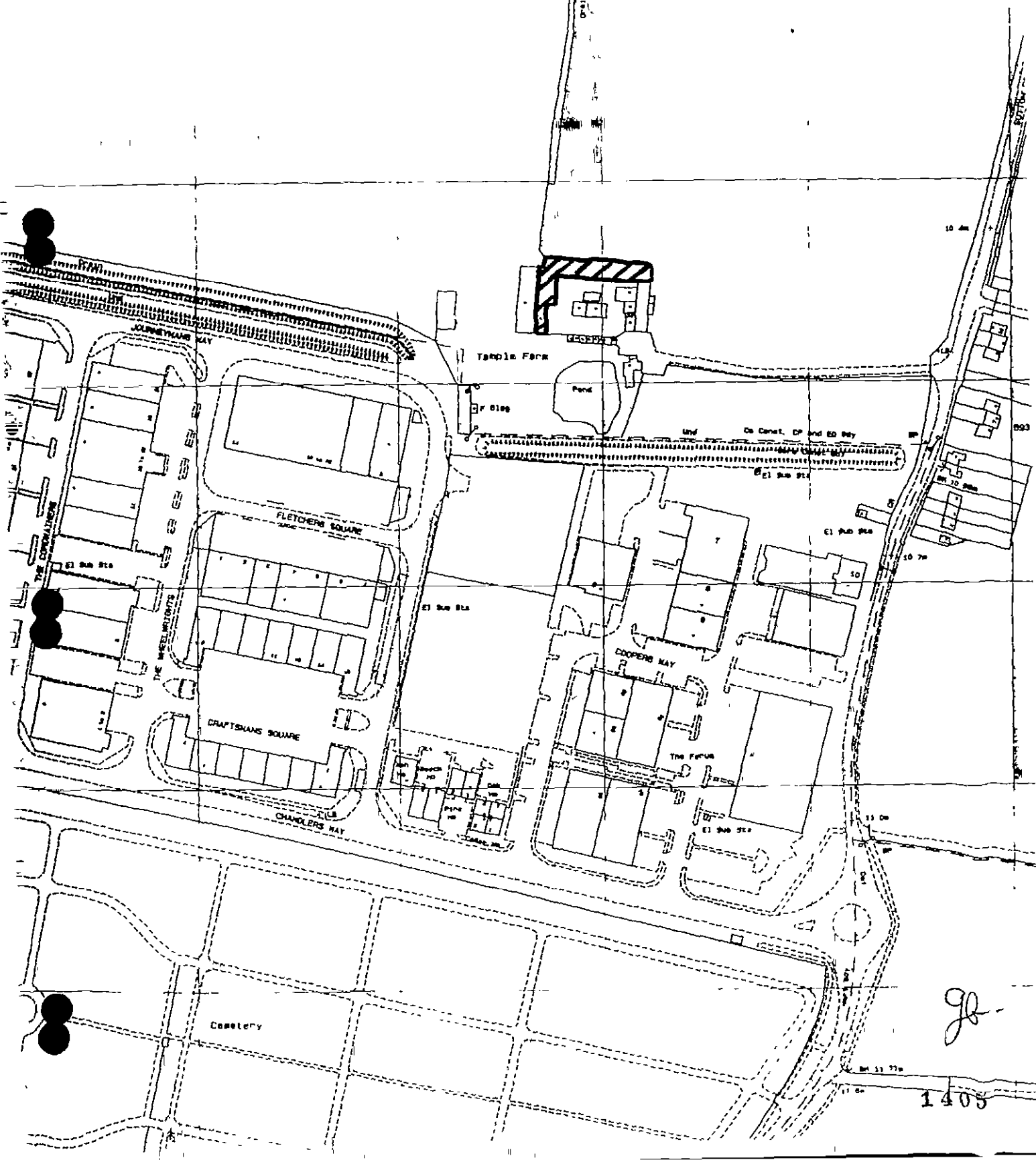
12 PARKING & TURNING SPACE SC76

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CU/0314/96/Roc

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F/0537/96/ROC PARISH OF HOCKLEYADJ FINCHES LODGE HOCKLEY ROAD RAYLEIGH

ERECT 4-BED DETACHED HOUSE WITH ATTACHED GARAGE TO FRONT
(RESUBMISSION FOLLOWING APPLICATION F/0243/96/ROC)

Applicant MRS J A ARGLES

Zoning: Residential

Planning Application Details

- 6 1 This proposal is for the erection of a substantial 4 bedroom detached house with integral double garage. The site is currently grass land and is bordered by residential development on 3 sides. Immediately to the north of the proposed garden area, is Green Belt.
- 6 2 The Agent's supporting letter states that it is proposed to excavate over the site to form a level platform, reducing the height of the property by approximately 1 metre, and to erect a 2 metre high brick wall at the boundary with Gattens Lodge to the south.
- 6 3 The dwelling would be accessed from a private drive which currently serves 4 dwellings. It is proposed to extend this drive across the driveway of Finches Lodge in order to serve the site. In accordance with advice from the County Surveyor it is also proposed to widen the driveway at its junction with Hockley Road; the owner of the application site claims a right of way across this land.

Relevant Planning History

- 6 4 Full planning permission was given to erect the dwelling now known as Finches Lodge on 3.7.84 (F/0399/84/ROC); the permitted garden area was land immediately east of the dwelling which now comprises the current application site.
- 6 5 An application to erect a dwelling adjacent to Finches Lodge was originally made in May 1996 (F/0243/96/ROC) and Members will recall that this item initially appeared on Weekly List no.325, and was recommended for refusal. The application site included a large section of Green Belt to accommodate the garden. Plans were subsequently submitted, which revised both the application site boundaries, deleting that part of the garden area which extended into the Green Belt, and the proposed siting of the house. Consequently the Director of Environment referred the item to the July meeting of the Planning Services Committee, still recommending its refusal.
- 6 6 Authority was delegated to the Director to determine the application on expiry of the re-consultation period with a view to refusal on the following grounds:
1. The application site constitutes the majority of the authorised garden to Finches Lodge and the proposed dwelling, if built, would result in two dwellings being located on a limited area of land out of character with the adjacent properties, which are generally set within sizeable plots, and contrary to Policy H2 of the Rochford District Local Plan First Review. Furthermore, although the proposed rear gardens would exceed the minimum size indicated in Appendix 1 of the Local Plan, the Local Planning Authority considers that, due to their disproportionate areas in relation to the size and character of the dwellings, there would be considerable pressure to extend the gardens into the Green Belt contrary to Policies GB1 and GB9 of the Local Plan. This is of particular significance in relation to the proposed dwelling which, due to the canopy spread of the adjacent preserved Oak tree and the necessary remodelling of ground levels to facilitate the building, is likely to have a limited useable rear garden space.

2 If permitted this development could set a precedent making it difficult to resist other similar proposals nearby and elsewhere in built up areas and on the edge of the Green Belt. The cumulative effect of cramming such development in these locations would be detrimental to the character of such areas and further pressure would be exerted for gardens to be extended into open parts of the Green Belt.

3. The proposed dwelling, by reason of its substantial proportions, orientation and the fact that it would be sited on land which rises to the north, would have a dominant and overbearing impact on Gattens Lodge to the detriment of the amenity of the occupiers thereof. For these reasons the proposal is contrary to the Local Plan Policy H20 'Backland Development', parts (ii), (iii) and (iv).

6.7 However, the applicant withdrew the above application before the decision notice was issued

6.8 Whilst the planning application was under consideration, an Application for a Certificate of Lawfulness for an Existing Use (LDC/0377/96/ROC) was submitted in respect of the Green Belt land to the rear of the planning application site, together with land north of Finches Lodge. The application sought to establish that the land in question had been used as an extension to the authorised garden area of Finches Lodge for a period of at least ten years. Where there has been a breach of planning control consisting of the change of use of land without the benefit of planning permission, no enforcement action may be taken after the period of ten years beginning with the date of the breach.

6.9 A Certificate of Lawful Use or Development was issued on 23.9.96 in respect of the land to the north of Finches Lodge, establishing that it can be lawfully used as a garden area. The use of the adjoining land to the east (that is the Green Belt land north of the current application site) was not considered to be lawful and consequently a Certificate of Lawful Use or Development was not issued in respect of this land.

6.10 The planning application now before Members is exactly the same as the previous application F/0243/96/ROC in terms of design, siting, landscaping, means of access and external appearance, however the circumstances surrounding it have changed to a degree due to the issue of the Certificate of Lawful Use or Development.

Consultations and Representations

6.11 The COUNTY SURVEYOR proposed the widening of the access drive at its junction with Hockley Road when consulted on the previous application, accordingly he has no objection to the proposals subject to the alterations being carried out in accordance with the submitted plans. However without these improvements the County Surveyor is opposed to the proposal as it would lead to the unacceptable intensification in use of an existing sub-standard private access situated on the bellmouth radius of an existing road junction and would accordingly generate confusing and conflicting slowing, turning and manoeuvring movements of vehicles at this point in the very well used B1013, to the detriment of highway safety.

6.12 The COUNTY PLANNER (SPECIALIST ARCHAEOLOGICAL ADVISOR) recommends a Watching Brief in order for any ground disturbance to be inspected for archaeological remains.

6.13 The ENVIRONMENT AGENCY has no objection to the proposal

6.14 ANGLIAN WATER has no comment to make on the application

6.15 The WOODLANDS AND ENVIRONMENTAL SPECIALIST was consulted with regard to the mature Oak tree within the site which is the subject of a Tree Preservation Order. He considers that the tree would not be seriously affected subject to a number of conditions including no change in ground level within 1 metre of the canopy spread and no patio/paved area to the east of the property.

- 6 16 Representations have been received from five **LOCAL RESIDENTS**.
The occupant of Finches Lodge, the property immediately west of the application site, supports the proposal and considers it to have been well designed to take into account the surrounding properties and to be suitable for the plot.
- 6 17 The occupant of Gattens Lodge, immediately south of the site, states a number of conditions which he considers should be met in order to reduce the impact on his property, it appears that most of these can be met. However, objection is made to the re-alignment of the access drive which is seen to be dangerous and unnecessary.
- 6 18 The occupant of Tolgate Lodge, which is accessed from the private drive, objects to the access alterations in terms of their effect on road safety and also objects to the proposal on Green Belt grounds
- 6.19 Objections have also been made by the occupants of 1 The Gattens on the grounds of. impact on nearby dwellings in terms of dominance and overlooking; the site borders Green Belt land and is not replacing any existing structure; increase in traffic using the access road creating further disturbance to nearby properties; the alterations to the access reducing highway safety, unnecessary extension of the pavement; loss of an established tree near to the road junction.
- 6 20 Finally reservations are expressed by the occupant of Orchard Cottage which fronts Hockley Road, on the grounds of setting a precedent for housing development in respect of land to the rear of the Gattens which could compound highway problems.

Summary of Planning Considerations

- 6 21 The principle planning considerations material to the determination of this application are as follows:

- * The history of the site including the previous application (F/0243/96/ROC)
- * Local Plan policy
- * Highway issues

The Previous Application/Local Plan Policy

- 6 22 The current planning application is exactly the same as the previous one (F/0243/96/ROC) in terms of detail, and Members delegated that application to the Director of Environment to determine on the expiry of the re-consultation period, with a view to refusal on the grounds set out above.
- 6 23 However, the material planning considerations have changed slightly due to the Certificate of Lawful Use or Development. At the time of the previous application the application site comprised the majority of the permitted garden area of Finches Lodge. However, following the decision on the Certificate of Lawful Use or Development, the large area of land to the rear of Finches Lodge can now be lawfully used as garden. Thus that part of the first recommended reason for refusal on application F/0243/96 which relates to the garden of Finches Lodge no longer applies, but the remainder of the wording is still relevant.
- 6 24 Although the proposed garden area exceeds the minimum size requirement of 100 square metres set out in Appendix 1 of the Local Plan, this is a **minimum standard** and not a rigid figure that is appropriate in all cases. The proposed dwelling is large and the garden area is considered to be disproportionate to this, which it is feared would lead to future pressure to extend into the Green Belt land beyond, contrary to Local Plan policies GB1 and GB9. The useable garden space is also limited by the Oak tree within the site which would need protecting in the ways specified by the Council's **WOODLANDS AND ENVIRONMENTAL SPECIALIST** (see above)

- 6 25 Furthermore, the large detached dwellings either side of the application site, that is Finches Lodge, Alfoxton House and Orchard Cottage are each set within large grounds and the proposed house and garden would be out of character with this surrounding development.
- 6 26 The second proposed reason for refusal of the previous application still applies in respect of the current application.
- 6 27 The third reason applies in part. The latter part of it is less applicable now as the previous proposal was seen to be backland development in relation to Finches Lodge as it would have occupied the majority of the permitted garden area of Finches Lodge, with the actual garden of Finches Lodge being located to the north the site appears to be no longer used as the dwelling's garden
- 6 28 The impact of the proposal on Gattens Lodge, the property immediately south, is considered to be unacceptable despite the fact that the applicant proposes to level the site which, it is claimed, will reduce the height of the property by approximately 1 metre, and erect a boundary wall between the two properties. In any event no details have been submitted in respect of the levelling of the site and it is questionable whether this can be successfully achieved, particularly considering the proximity of the protected Oak tree and the comments by the Woodlands and Environmental Specialist.

Highway Issues

- 6 29 The private drive is proposed to be widened at the junction with Hockley Road. This course of action was recommended by the County Surveyor during negotiations on the previous application; without these improvements the County Surveyor would be opposed to the proposal on the grounds of unacceptable intensification in use of a sub-standard access which could generate confusing and conflicting vehicle manoeuvres to the detriment of highway safety

Recommendation

- 6 30 The Director of Environment recommends that this application should be refused consent on the following grounds

01 NON STANDARD REFUSAL

The proposed garden area would be disproportionate in size to the proposed dwelling, which it is considered, would lead to considerable pressure to extend the garden into the Green Belt, contrary to Policies GB1 and GB9 of the Rochford District Local Plan First Review. Adjacent similar properties are generally set within sizeable plots and the proposed development would be out of character with these, contrary to policy H2 of the Local Plan. Furthermore, the useable garden space will be limited due to the canopy spread of the adjacent preserved Oak tree and the necessary remodelling of ground levels to facilitate the building

02 NON STANDARD REFUSAL

If permitted this development could set a precedent making it difficult to resist other similar proposals nearby and elsewhere in built-up areas and on the edge of the Green Belt. The cumulative effect of cramming such development in these locations would be detrimental to the character of such areas and further pressure would be exerted for gardens to be extended into open parts of the Green Belt.

03 NON STANDARD REFUSAL

The proposed dwelling, by reason of its substantial proportions, orientation and the fact that it would be sited on land which rises to the north, would have a dominant and overbearing impact on Gattens Lodge to the detriment of the amenity of the occupiers thereof.

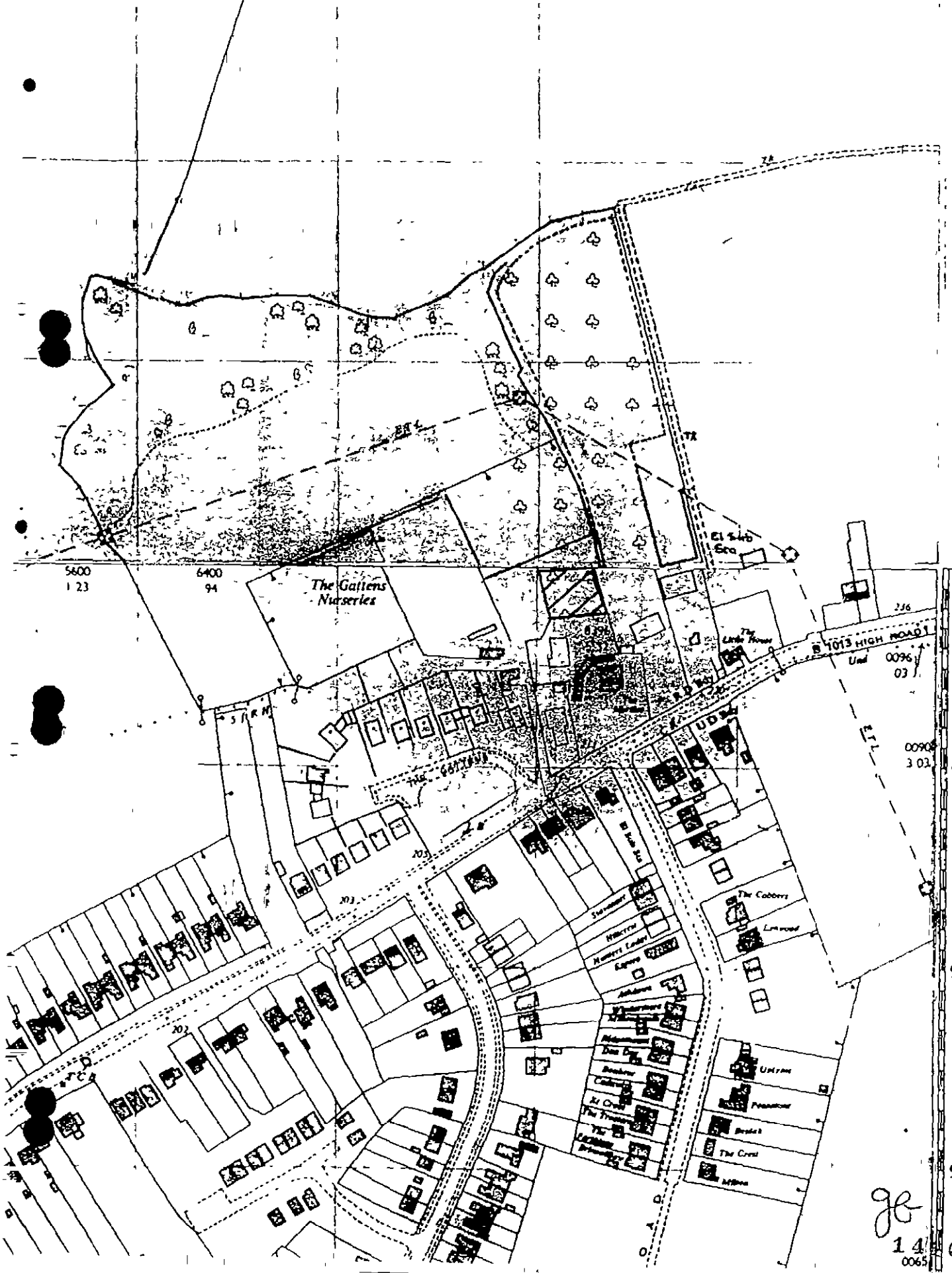
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F/0537/96/ROC

EX CD

HOCKLEY WEST WARD



OL/0413/96/ROC RAYLEIGH TOWN COUNCIL AREAADJ DULCE DOMUN NORE ROAD RAYLEIGH

OUTLINE APPLICATION TO ERECT 3 DETACHED HOUSES

Applicant MR & MRS COURQUIN

Zoning: Residential

Frontage: 12m per plot Depth. between 24m to 28m approx.

Site Area 1000sq m (0.25acre) Density. 30dpha (12dpa)

Application Details

- 7.1 This application site falls within the Rayleigh Avenue/Eastwood Rise Design Brief area and Members will recall the three applications located at the eastern end of Nore Road (items 9 to 11) considered and granted planning permission subject to a legal agreement and relevant conditions at the last Planning Services Committee Meeting of 31st October 1996. The introductory report which preceded the above is appended for Members assistance.
- 7.2 This application seeks outline permission including siting for 3 detached houses and the original plans have been revised to address policy issues.
- 7.3 The application site is almost rectangular in shape other than an angled rear boundary and comprises part of the large area of land attached to the eastern side of Dulce Domun a relatively recently erected bungalow (granted permission via the rebuild policy) The dwellings have a modest staggered relationship to the road and various front projections.
- 7.4 The proposed houses have uniform frontages of 12 metres (about 39 feet), a combined figure of 36 metres (118 feet). The plot depths vary slightly an average of about 24 metres (about 80 feet)(plot 1) to 28 metres (about 92 feet) (plot 3) The density based on the revised plan is 30 per hectare (12 per acre). Two of the dwellings have integral garages the third (plot 3) has a detached double garage to the rear abutting the eastern boundary.
- 7.5 The site itself is located on the north side of Nore Road towards its western end off and to the east of Rayleigh Avenue both of which are unmade at this point

Relevant Planning History

- 7.6 As stated the land is currently designated for residential development and previous applications submitted prior to this rezoning of the land for residential purposes were resisted save for a one for one replacement in accordance with the adopted rebuild policy.
- 7.7 Application OL/0617/95/ROC for an identical number of dwellings on a slightly smaller plot size with integral garages up to their side boundaries was submitted and registered as valid on 7th December 1995 An appeal has been lodged under section 78 of the Town and Country planning Act 1990 against the failure of the local planning authority to give notice to the applicant of its decision within the statutory 8 week period.

Consultations and Representations

- 7.8 The ENVIRONMENT AGENCY (previously NATIONAL RIVERS AUTHORITY) has no objection. ANGLIAN WATER confirm that they have no comment to make.

- 7 9 The COUNTY SURVEYOR'S views are that the applicant should enter into a legal Agreement with respect to providing a pro rata contribution for the making up of Eastwood Rise and Rayleigh Avenue, the provision of traffic calming in Eastwood Rise and the upgrading of the ghosted right turn lane from Eastwood Road into Rayleigh Avenue in accordance with the details set out in the appended report. He does not in this instance require the applicant to make major improvements to Nore Road but would expect a turning area within the site for emergency vehicles if Nore Road remains impassable at its eastern end.
- 7 10 The COUNTY PLANNER (SPECIALIST ARCHAEOLOGICAL ADVICE) states that prehistoric finds have been found to the east and west of Nore Road and the proposed development provides an opportunity to investigate the area and it is important that any groundworks are investigated for archaeological remains and recommends a watching brief condition is imposed on any grant of planning permission issued
- 7 11 The ESSEX COUNTY COUNCIL TRADING STANDARDS OFFICER (now THE ENVIRONMENT AGENCY) states that there is a disused landfill site near the application site and advises that tests are carried out prior to commencement of any works.
- 7.12 The CHIEF ENVIRONMENTAL HEALTH OFFICER has no adverse comments subject to the Standard Informative relating to the Control of Nuisances being attached to any permission granted.

Summary of Planning Considerations

- 7 13 The principle of development of the site is clearly acceptable subject to application of the Design Brief and normal site specific issues.
- 7 14 In assessing this proposal in relation to the design brief requirements as outlined in the appended introductory report the Director advises in respect of the various elements as follows.
- a) DENSITY, MIX AND DESIGN
- 7.15 The proposal is now acceptable in this respect following submission of revised plans setting the integral garages off the side boundaries to achieve a minimum 1m separation and increasing the overall site area to ensure that the density target of 30 to the hectare (12 per acre) is met.
- b) TREATMENT OF ROADS
- 7 16 The Developer has agreed to the appropriate contributions and a section 106 Legal Agreement.
- c) OTHER ROADS IN THE AREA
- 7 17 Access is proposed to be via Nore Road which is unmetalled at present and the applicants' agent has indicated that in his view its precise alignment, type and surface treatment could be dealt with as a reserved matter following the grant of outline planning permission as his client intends to sell the land on to a developer. He is however, in this instance prepared to accept a relevant planning condition (see below).
- 7.18 Nore Road has the status of an unadopted street or private way as defined within Part 9 of the Town and Country Planning (General Permitted Development) Order 1995 which permits the carrying out on land within the boundaries of such a street of works required for its improvement or maintenance without the need for planning permission. To ensure that the improvements are made prior to the occupation of the development will therefore require a grant plan planning condition or clause within a Legal Agreement to ensure its provision. The developers agent has indicated that he would prefer a condition in relationship to the road surfacing, emergency vehicle provision and traffic calming than a clause in a Legal Agreement.

d) TIMING OF THE ROAD IMPROVEMENTS

7 19 Covered above

e) CONSTRUCTION TRAFFIC

7.20 The applicant has confirmed that construction traffic travelling to his site will not use Sandhill Road and is happy to enter into a legal agreement to this effect.

f) WHEEL WASHING

7 21 The applicant has no objection to a wheel washing condition being attached to any planning decision notice.

g) HOURS OF OPERATION

7 22 The applicant has no objection to the principle of an hours of working condition but has not indicated a willingness to extend this to the Legal Agreement

h) TRAFFIC CALMING

7 23 Covered under item c) above

i) FOUL AND SURFACE WATER DRAINAGE

a) FOUL DRAINAGE

7 24 It is proposed to utilise an existing private sewer installed by King and Spry (builders) which has a 2.1m invert level, is 150mm in diameter currently serving 10 dwellings terminating at the public sewer into which it flows at Disraeli Road which is at present the closest adopted drainage point. It has a minimum gradient of 1 : 80. The Councils' own Engineers confirm that this is generally satisfactory and the developer is happy to enter into a Legal Agreement on this point if deemed necessary to ensure proper provision is available

b) SURFACE WATER DRAINAGE

7 25 The surface water drainage is to be via a soakaway system which is acceptable in principle subject to the developer being able to demonstrate via a soakage test that the ground condition is capable of absorbing it. This matter can be covered by an informative that any soakaway system must be able to satisfy the Building Regulations and be constructed to Building Control standards.

j) TREES AND HEDGES

7 26 There are some trees and natural cover adjacent to the eastern boundary of the site which the applicants' agent advises falls outside the application site.

Recommendation

7 27 The Director of Environment be instructed to negotiate a Section 106 Legal Agreement in relation to the above covering the following matters in relation to the design brief including :

- i) Financial contributions for the making up of Eastwood Rise and Rayleigh Avenue, the provision of traffic calming in Eastwood Rise and the Upgrading of the ghosted right turn lane from Eastwood Road into Rayleigh Avenue.
- ii) Prohibition on use of Sandhill Road by construction traffic.

iii) The provision of foul drainage to an acceptable standard

7 28 That subject to that agreement being completed to the satisfaction of the Director of Law and Administration that the application be approved subject to the following conditions :

01 RESERVED MATTERS SPECIFIC SC2

02 TIME LIMITS (OUTLINE) STD SC3

03 NON STANDARD CONDITION

Pursuant to the reserved matters to be submitted under Condition 1 above, details shall be submitted in writing to the Local Planning Authority of improvements to the Nore Road access to the site including a turning facility for emergency vehicles. No dwelling shall be occupied until such time as the improvements have been implemented in accordance with details approved in writing by the Local Planning Authority.

04 REMOVAL OF BUILDINGS SC9

05 CAR PARKING PROVISION SC78

06 SITE LEVELS EXIST' PROP' SC83

07 MEANS OF ENCLOSURE-OUTLINE SC49

08 ARCHAEOLOGY SITE ACCESS SC97

09 NON STANDARD CONDITION

The foul drainage to serve the site shall be implemented in accordance with details submitted by letter dated 30 September 1996 unless otherwise agreed in writing by the Local Planning Authority.

10 NON STANDARD CONDITION

Wheel cleaning facilities shall be provided within the site and used on all vehicles visiting the site throughout the construction period.

11 HOURS OF DELIVERIES SC41

No building operations shall be carried out or deliveries taken at the site outside the hours of 7.00am to 6.00pm Monday to Friday, 7.00am to 2.00pm on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

B.

INTRODUCTORY REPORT TO PLANNING APPLICATIONS WITHIN THE

RAYLEIGH AVENUE/EASTWOOD RISE DESIGN BRIEF AREA

- 1.1 This introductory report is to assist Members consideration of items 9, 10 and 11 and any subsequent planning applications for new residential development within the area
- 1.2 The Design Brief was adopted by the Council earlier this year. It flows from Policy H5 of the Rochford District Local Plan First Review. The area is a former plotland development which comprises a grid iron road pattern and in parts existing substantial frontage development
- 1.3 The Design Brief sets out a co-ordinated approach to the development of the available sites within the area, given a single comprehensive development of the area is unlikely. The main elements of the Design Brief are as follows -

Density

- 1.4 To be a maximum of 30 dwellings per hectare (10 dwellings per acre) on any site, whilst at the same time seeking to retain the rural feel. Area available for development in the region of 4.4 ha (9.9 acres) which is likely to accommodate 100 new units

Design and Mix

- 1.5 Flexible view on design. Mix skewed towards larger end of range and properties to be no more than 2 storey in height

Treatment of Roads

- 1.6 This is the major issue for the overall success of a co-ordinated development of the area, which currently comprises a series of private roads or private streets. Improvements are required to service the new development and these will be funded from the new development on a per capita basis and calculated on the basis of the 100 estimated dwellings. Detailed discussions have taken place with the County Surveyor and estimates have been provided costing the improvements required which are as follows:-

1. Rayleigh Avenue & Eastwood Rise - a part of each being made up to adoptable standard. (See attached Plan 1) - Cost £336,000 (£3,666 per unit)
2. Junction improvement at Rayleigh Avenue/Eastwood Road and low level traffic calming scheme in Eastwood Rise. (See attached Plan 2) - Cost £29,200 (£292 per unit).

- 1.7 The costings are at current prices and therefore any contributions in future years will need to cover an element for inflation. A Legal Agreement will be sought between the Developer of each site, the District Council and Essex County Council, with the monies held in a fund to secure the works over a 15 year period; it is anticipated that works will be carried out in phased tranches as the contributions are collected, and such works as the residual level of contributions can sustain at the end of that period. Contributions are to be provided before commencement of the dwellings. The implementation of the works will be phased to first secure the junction improvement and the traffic calming. The latter will be subject to necessary public consultation and the views of Southend Borough Council, in which administrative area much of it falls. The traffic calming measures are dependent upon sufficient local support; if not pursued, the funds will be utilised for the other works.

JL

Other Roads in the area

- i.8 It is not practical to seek contributions to bring these up to adoptable standards. Improvements or contributions may be sought by Developers where appropriate, in which case a Legal Agreement may be required

Timing of Road Improvements

- i.9 As covered above, but in respect of the other roads in the area this is also dependent on what is appropriate to the scale of development of any particular scheme

Construction Traffic

- i.10 Consideration needs to be given to routing and the Local Planning Authority will not wish to see construction traffic using Sandhill Road. A Legal Agreement may be required

Wheel Washing

- i.11 Planning Conditions on each site requiring wheel washing equipment as appropriate

Hours of Operation

- i.12 The Local Planning Authority should consider whether controls are required in Legal Agreement to cover hours of operation and times of deliveries. Standard Informative SI16 to be included on any Permissions relating to the control of nuisance

Traffic Calming

- i.13 Measures will be considered, if appropriate, for roads that require upgrading to access any development sites

Foul and Surface Drainage

Foul Drainage

- i.14 Rayleigh East Sewerage Treatment Works can accommodate the flows from the site. The difficulty arises in the routing of the foul sewers. Due to the topography, distance to existing public sewers and economies of schemes, it means that for parts of the development site, utilising private sewerage treatment plant packages maybe the only way development can take place.

- i.15 Each application requires detailed specifications showing how foul drainage is to be provided.

- i.16 If over 20 units, the Local Planning Authority would expect a scheme connecting the development to the existing foul sewer system.

Surface Water

- i.17 Detailed specification required for each proposal; likely approach to be on-site provision, unless larger development proposals.

- i.18 If more than 20 dwellings, the Local Planning Authority would expect a scheme of surface water drainage to connect to existing surface water drainage system.

Trees and Hedges

- 19 As far as possible, trees and hedges should be retained and integrated into developments to retain rural feel of area. Tree and hedge surveys are required for each proposal. The Local Planning Authority will look to protect amenity trees by Tree Preservation Orders and use Conditions to retain hedges.

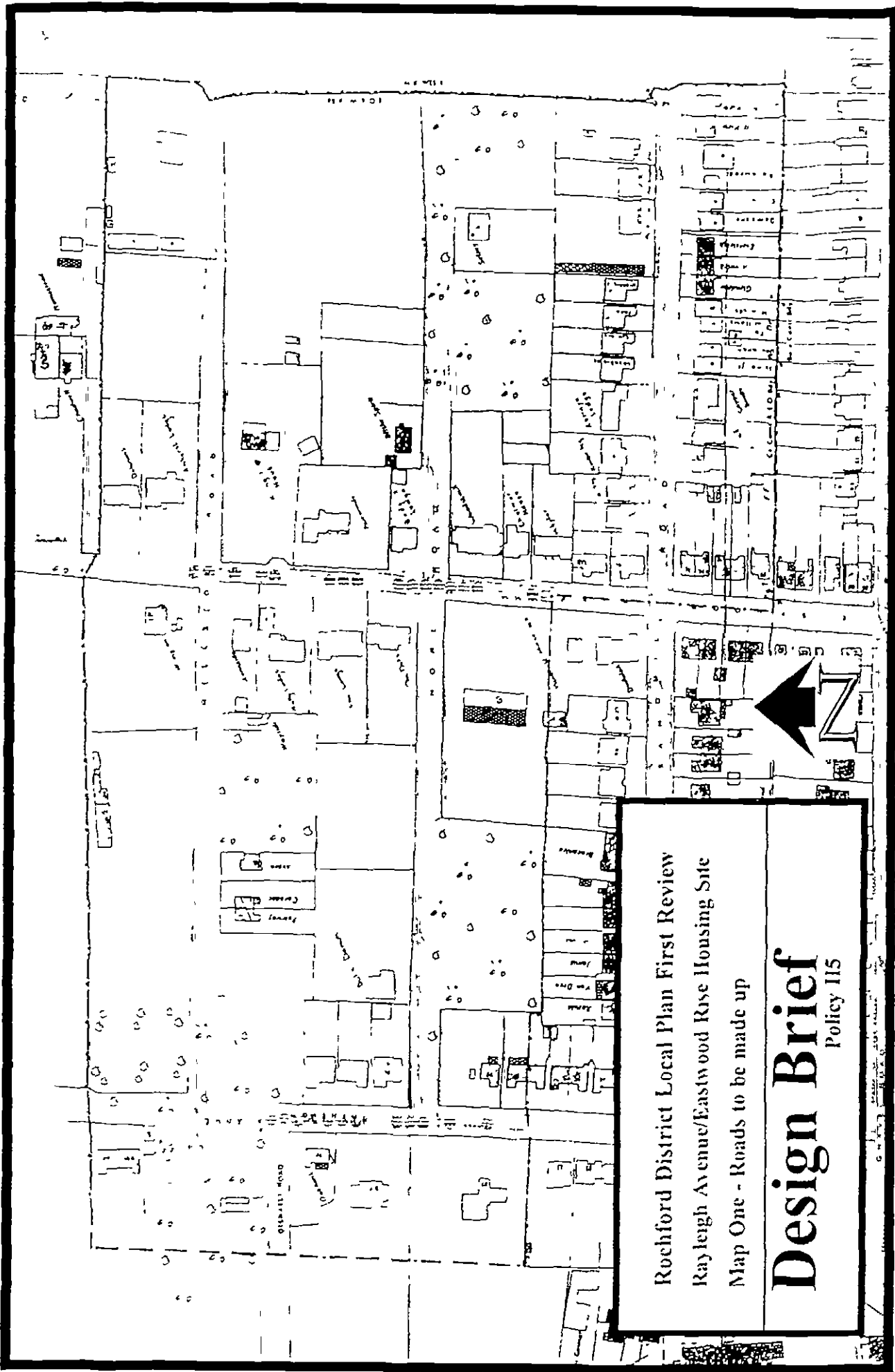
Affordable Housing

- 20 District Plan requirements waived in this area.

Conclusion to this Report

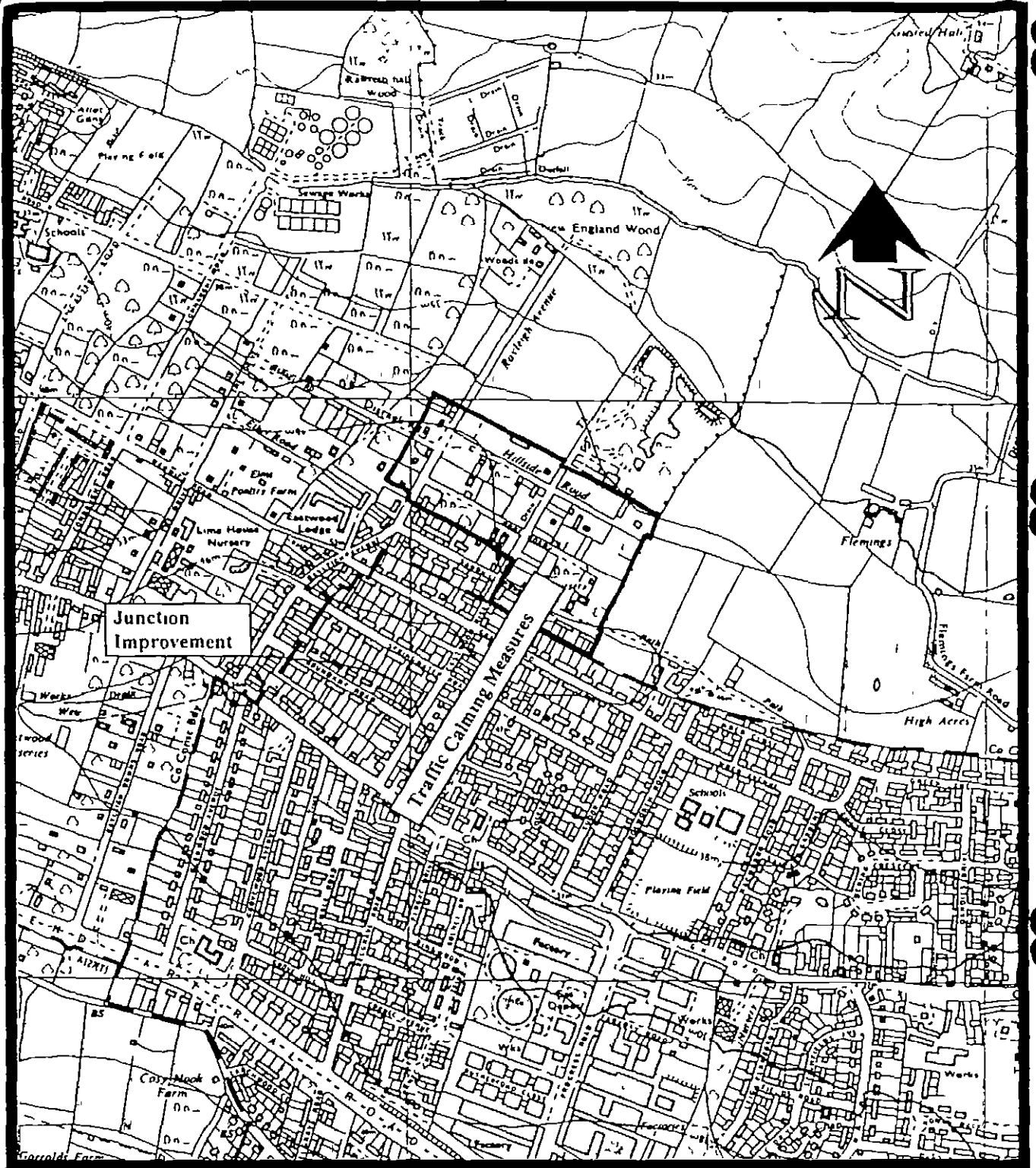
- 21 The above sets out the main context of the Design Brief and the context within which the following applications should be considered. In particular, the two main areas of infrastructure provision, namely, highway works and drainage, with the onus being on the applicants, in the case of the road infrastructure, to contribute to the overall improvements to serve the development of the area and in terms of the foul drainage, to demonstrate that an acceptable solution to each scheme is provided.

JR



Rochford District Local Plan First Review
Rayleigh Avenue/Eastwood Rise Housing Site
Map One - Roads to be made up

Design Brief
Policy I15



Rochford District Local Plan First Review
 Rayleigh Avenue/Eastwood Rise Development Site
 Map Two - Junction Improvements and Traffic Calming

Design Brief

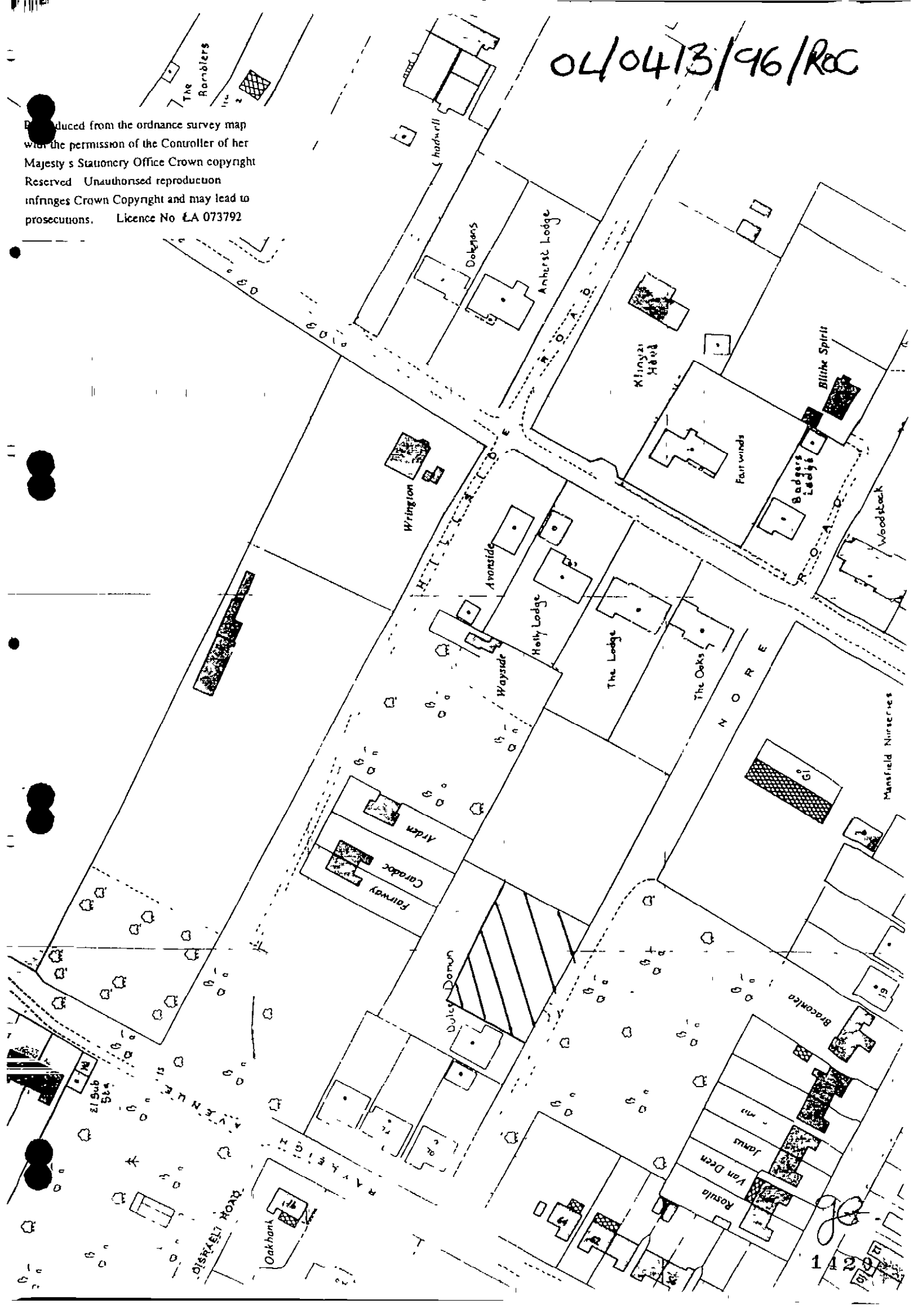
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1420

OL/0527/96/ROC RAYLEIGH TOWN COUNCIL AREAR/O 61-69 LOUIS DRIVE RAYLEIGH

OUTLINE APPLICATION TO ERECT FOUR DETACHED 3-BED BUNGALOWS AND GARAGING WITH PRIVATE DRIVE ACCESS (REVISED SUBMISSION FOLLOWING APPLICATION OL/0095/96/ROC)

Applicant JOHN COTTON DESIGN STUDIO

Zoning Residential

Planning Application Details

- 8.1 This outline application follows favourable consideration subject to delegation of some details to the Director of Environment at the last Planning Services Committee of a full application (F/0416/96/ROC) for an identical number of dwellings. The foregoing application followed refusal on 24th April 1996 on a previous outline application (OL/0095/96/ROC) for 5 detached 3-bed bungalows. An appeal to the Secretary of State for the Environment against the decision will be heard via a Public Inquiry scheduled for 15th January next year unless it is withdrawn. The current applicant has in fact indicated that the appeal will be withdrawn if the present application is approved by Members.
- 8.2 The present proposal is an outline application for the erection of 4 detached bungalows with private drive access with a detached double garage serving the two end plots (2 and 3) and integral garaging to the remaining two (1 and 4) on land to the rear of 61-69 Louis Drive, Rayleigh. The proposed dwellings also back onto the rear gardens of existing dwellings facing Tillingham Way.
- 8.3 The site, based on the submitted plan, is approximately 55 metres (180 feet) wide with a depth beyond the extreme end of the private drive access of 27 metres (88 feet 6 inches) minimum and 30 metres (96 feet 6 inches) maximum. The density of the proposed development is about 25 to the hectare (10 per acre).

Relevant Planning History

- 8.4 Outline application ROC/722/88 to erect four detached bungalows and garages with private drive access on a wider but narrower site to the rear of 59-73 Louis Drive refused planning permission on 16th December 1988 principally on grounds of unacceptable backland development.
- 8.5 Application ROC/0571/89 for two detached bungalows on a smaller site area than now proposed was refused planning permission on 29th September 1989 mainly on the grounds that it was an unsatisfactory form of backland development and the subsequent appeal was dismissed on 23rd August 1990. Notwithstanding his decision however the Inspector considered that the development was generally acceptable and his only objection was the close proximity of the proposed private drive/turning area to 67 Louis Drive.
- 8.6 A subsequent application (OL/0480/91/ROC) for two detached bungalows and garages with private drive access together with a detached chalet and garage on the frontage to Louis Drive was granted planning permission on 6th September 1991. This application met the previous failings identified by the Inspector and showed the relevant areas being better isolated from no. 67 with the isolation distance being doubled to some 3.0m and 1.8m (6 feet) and high brick walls and planting in between.

- 8 7 Application OL/483/94/ROC already referred to, sought to renew the aforementioned application OL/0480/91/ROC and was granted planning permission on 2nd November 1994. The Reserved Matters (Details) for the chalet fronting Louis Drive were approved via applications RM/0403/95/ROC and F/0324/96/ROC and is now built.
- 8 8 Outline application OL/0095/96/ROC to erect 5 detached 3-bed bungalows with private drive was refused on 24th April 1996 for the following reasons:

"The proposed development by reason of the limited depth of the site for the number of dwellings proposed and consequential regimented layout fails to achieve a satisfactory enclosure of space producing a development out of character with the surrounding more spacious development and an unsatisfactory relationship of new to existing development. As such, this represents an undesirable form of backland development in conflict with Policies H11, H19 and H20 of the Rochford District Local First Review. In the opinion of the Local Planning Authority the proposal will have a dominant impact on adjoining dwellings and will adversely affect the amenities of surrounding residents providing a potential for overlooking to these properties the occupants of which would also suffer increased noise, disturbance and general activity especially from the intrusion of vehicular activity. If granted this would create a precedent making it difficult for the Local Planning Authority to resist further similar development in the immediate vicinity."

- 8 9 As stated this decision is now subject to an appeal to the Secretary of State for the Environment but will be withdrawn if the present application layout is granted.
- 8 10 As already indicated application F/0416/94/ROC for four detached 3 bed bungalows and private drive access was considered at the last Planning Services Committee on 31st October where it was resolved that the Director of Environment be instructed to determine the scheme on receipt of revised plans, the County Surveyors' views and subject to appropriate conditions

Consultations and Representations

- 8 11 The **RAYLEIGH TOWN COUNCIL** acknowledge that the development is a backland site where there is a need for sympathetic design and treatment and that the access could give rise to conflict between vehicles entering and leaving the site and whether adequate provision could be made for pedestrian access
- 8 12 The **RAYLEIGH CIVIC SOCIETY** have no comment to make on this revised application
- 8.13 The **CHIEF ENVIRONMENTAL HEALTH OFFICER** has no adverse comments on the application subject to an informative relating to the control of statutory nuisances being attached to any grant of planning permission issued.
- 8.14 The **ENVIRONMENT AGENCY** has no objections. **ANGLIAN WATER** have state "no comment."
- 8 15 The **COUNTY SURVEYOR** recommends that appropriate conditions are attached to the decision notice
- 8 16 5 letters of objection have been received from **LOCAL RESIDENTS** together with a letter from the **LOUIS DRIVE RESIDENTS ASSOCIATION (LDRA)**.
- 8.17 The grounds of objection are summarised as follows.
- i) Overdevelopment of the site via unacceptable density, size and orientation of dwellings producing a cramped layout and overpowering loss of rear aspect, potential loss of privacy and overshadowing.

- ii) Noise, dust, disturbance, additional pressure on services and infrastructure producing a potential risk of flooding exacerbated by prevailing levels and clay sub-soil
- iii) Increased traffic, congestion and effect on highway safety and poor access, limited width of private drive especially for fire appliances and service vehicles such as refuse vehicles. Less off-street parking provision for dwelling than indicated on the previous application
- iv) Contrary to adopted Rochford District Council planning policy.
- v) No effective demand for dwellings in addition to all the development currently under construction and proposed to the west of Rayleigh.
- vi) Effect on pets, wildlife, property values, potential loss of hedge and the overall effect on the general quality of life. No proposed intention to replace natural cover including trees and hedging previously lost from within the site.

Summary of Planning Considerations

- 8 18 Whilst sympathetic to the views of residents Government legislation and advice (PPG1) suggests that applications for development should be allowed having regard to the development plan and all material considerations, unless the proposed development would cause demonstrable harm to interests of acknowledged importance. In particular section 54 of the Town and Country Planning Act 1991 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. The District Plan and Policies form an integral part of the development plan and in particular policy H19 supports the principle of the development of small sites in defined residential areas and Policy H20 sets out the specific criteria for consideration of applications for backland sites.
- 8.19 The site is allocated for residential purposes and the key issues in considering this application is whether or not this proposal is acceptable in residential amenity, layout and highway terms in the context of Policy H20 and recent planning history and in particular application F/0416/96/ROC considered at the previous Planning Services Committee.
- 8.20 Policy H20 establishes four specific criteria. Criterion (i) specifies the need for an adequate and satisfactory means of access. The application site access is to be via an independent private drive and is considered acceptable within the terms of the policy to serve 4 dwellings. Also the County Surveyor does not raise objection subject to appropriate planning conditions being met
- 8 21 With regard to the isolation to no 67 as raised by the Inspector previously, there is a maximum distance of some 3m similar to the maximum distance on approved plan OL/0483/94/ROC, and the revised plan submitted in respect of F/0416/96/ROC whereas the Inspector identified failings on a scheme with "little more than a metre" separation
- 8 22 Criterion (ii) is concerned with the relationship of new to existing dwellings. The proposal would not be tandem development in that the proposed dwellings do not directly face the rear of other dwellings. Unlike the informal cluster of dwellings and garages shown on the previous application the four bungalows and detached double garage are grouped formally at right angles around the private drive turning area. Given this layout and that they are all bungalows even if the existing hedging is discounted, the distance between the proposed bungalows and the neighbouring dwellings in both Louis Drive and Tillingham Way is such that no serious loss of privacy in either neighbours' homes or their gardens would be likely to occur. In any case the existing hedgerow at the rear of the site will be retained

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- 8 23 Criterion (iii) relates to scale and visual appearance which is considered acceptable in this instance due to the layout of the development and size of the individual dwellings comprising modest, bungalows with hipped roofs entirely consistent with the previous application F/0416/96/ROC. They will not appear unduly obtrusive or over dominant when seen from the neighbouring dwellings and the neighbours' outlook will not be adversely affected which is helped by the side to back relationship of proposed to existing development
- 8 24 Criterion (iv) is concerned with conformity to the detailed technical criteria in Appendix 1 of the District Plan including amenity space, parking and so on which is satisfactory in this instance. The layout is generally quite pleasing in aesthetic terms and in particular the detached double garage and front projections to the bungalows proposed on plots 2 and 3 will help to produce a satisfactory enclosure of space and enhance the view at the end of the private drive.
- 8.25 It can be seen therefore that whilst some nearby residents object to the proposal, these do not translate into sustainable grounds to resist this application. Whilst it may be a backland proposal it does not entail the overlooking and loss of privacy issues in the manner raised by the earlier scheme for five bungalows subject to an appeal due to be heard next year but which may be withdrawn if this application is successful. As with the extant permission OL/0483/94/ROC which entails 2 bungalows on part of the site, and application F/0416/96/ROC for four on the same site area, this proposal is considered acceptable
- 8.26 Some of the other points raised by residents are covered by condition and an informative relating to statutory nuisance legislation

Recommendation

- 8 27 That the Director of Environment be instructed to determine the application on receipt of the balance of consultees view and subject to conditions including the following:
- 01 RESERVED MATTERS SPECIFIC SC2
 - 02 TIME LIMITS (OUTLINE) STD SC3
 - 03 PD RESTRICTED DORMERS SC20
 - 04 PARKING & TURNING SPACE SC76
 - 05 PD RESTRICTED EXTENSIONS SC17
 - 06 ALTERNATIVE DEVELOPMENT SC6
 - 07 SLAB LEVELS SPECIFIED SC84
 - 08 HEDGEROW TO BE RETAINED SC55
 - 09 PEDESTRIAN VISIBILITY SC66
 - 10 VEHICULAR ACCESS-DETAILS SC70
 - 11 DRIVEWAYS-SURFACE FINISH SC74
 - 12 PD RESTRICTED-FENCES ETC SC19
 - 13 LANDSCAPE DESIGN-DETAILS SC58

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RAYLEIGH

F/0512/96/ROC PARISH OF GREAT WAKERINGSTEWARDS YARD WAKERING ROAD GREAT WAKERING

DEMOLISH EXISTING TOWER (PREVIOUSLY USED AS DWELLING), ERECT BUNGALOW, CONSTRUCT VEHICULAR PARKING AND TURNING AREA

Applicant: J STEWARD

Zoning: Metropolitan Green Belt

Application Details

- 9 1 The applicants propose to demolish the existing 3 storey Water Tower, previously granted permission on appeal for change of use as a residential dwelling, and erect over its "footprint" a single storey hip roofed bungalow with associated garden.

Relevant Planning History

- 9 2 In 1990 a Ministerial appeal decision permitted the residential use of the Water Tower. In arriving at that decision the Inspector commented specifically that whilst it was a distinctive feature this was due to its bulk and stark unattractive appearance.
- 9 3 In 1995 an application for a two storey dwelling to replace the tower was refused on the grounds that the proposed dwelling was so in excess of the floorspace limit of Policy GB8 that the resulting two storey design was significantly larger in overall scale than that which it would replace.
- 9 4 That decision was appealed against and dismissed. The Secretary of State supported the objectives of Policy GB8, in that such an excessively large two storey building of this bulk in such a prominent position would, in visual terms, amount to encroachment upon the countryside. That Inspector was also moved to state that in his opinion the water tower "is an unusual building of no particular architectural merit".
- 9 5 Following that refusal an application was submitted under reference F/0248/96 for a detached bungalow that complied with the floorspace requirements of Policy GB8. The Planning Services Committee of the 5th September 1996 considered the proposal whereupon members refused the grant of planning permission. A copy of that report is appended for members information.

Consultations and Representations

- 9 6 **GREAT WAKERING PARISH COUNCIL** would wish to see the garden area of the dwelling fenced off separately from the commercial yard so there is no access for the public between the sites.
- 9 7 The **COUNTY PLANNER (Specialist Conservation Advisor)** recommends the imposition of a watching brief.
- 9.8 The **COUNTY SURVEYOR** recommends the imposition of conditions ensuring adequate on site parking and turning provision and that any unbound surfacing materials should cease 6m from the exit.
- 9.9 The **DIRECTOR OF LAW AND ADMINISTRATION** makes no comments.

Summary of Planning Considerations

- 9 10 The principal planning issue in this case is whether this latest proposal overcomes the specific objections identified in the previous reason for refusal under application reference F/0248/96/ROC. That previous scheme proposed demolition of the tower but to site the replacement bungalow along the road frontage of the site. Despite general compliance with policy requirements the reason for refusal still identified an adverse aspect of the proposal.
- 9 11 It stated that the resiting aspect would result in the dwelling filling an important gap in the street scene and thus consolidating a group of buildings into a more intrusive continuous line; this would amount to encroachment upon the rural character of the countryside. The reason also identified the tower as a local landmark
- 9 12 However, in response to that decision this latest revised scheme proposes to set the same bungalow on the site of the tower which is set well back from the road. As a result it would be partly screened by some of the commercial activity on the site if viewed when approaching from the north. It will not encroach upon the openness of the immediate vicinity
- 9.13 In all other respects it is considered to accord with the requirements of Policy GB8 for replacement dwellings in the Green Belt. Specifically the water tower has an original floorspace figure of approximately 124sq.m. This proposal will equate to approximately 134sq m, and therefore the 35sq.m. of additional floorspace limit which the policy permits over and above the "original" floorspace will not be exceeded. Sufficient garden and associated parking and turning space is provided for.
- 9 14 Whilst the Water Tower may be regarded locally as a landmark the comments of Inspectors in previous appeal decisions on the lack of architectural merit and its unredeeming features do not support any arguments that might be advanced for its retention.
- 9 15 Overall it is considered that this proposal will assist in achieving a considerable improvement to the appearance of the site and the surrounding countryside by the removal of this visually intrusive three storey structure and replacement with a traditionally designed attractive bungalow of modest proportions

Recommendation

- 9.16 The Director of Environment recommends that planning permission be granted subject to the following conditions.

01 TIME LIMITS-FULL-STD SC4

02 MATERIALS TO BE USED SC14

03 PD RESTRICTED EXTENSIONS SC17

04 PD RESTRICTED DORMERS SC20

05 ENCLOSURE/SCREEN-DETAILS SC51

06 TREE PLANTING DETAILS SC57

07 NON STANDARD CONDITION

The means of access into the site shall be completed in solid surface materials for a distance not less than 6.0m from the highway boundary before the commencement of the dwelling hereby approved and retained the access shall be in that condition thereafter to prevent the displacement of materials onto the highway.

Jk.

08 PARKING & TURNING SPACE SC75

09 FOUL WATER DRAINAGE SC91

10 ARCHAEOLOGY SITE ACCESS SC97

11 NON STANDARD CONDITION

The curtilage of the dwelling hereby permitted shall be restricted to that area bounded by the letters A, B, E, F on the submitted plan date stamped 17th May 1996

12 NON STANDARD CONDITION

No habitable floorspace shall be created in the roof void of the dwelling hereby approved

gf-

R 2

(From Weekly List No 328)

Referred by Councillor R A Pearson

Applicant: Mr J Steward

F/0248/96/ROC

Zoning: Metropolitan Green Belt

PARISH OF GREAT WAKERING

STEWARDS YARD WAKERING ROAD GREAT WAKERING

ERECT DETACHED BUNGALOW (IN CONJUNCTION WITH DEMOLITION OF DERELICT TOWER PREVIOUSLY USED AS DWELLING) (REVISED SUBMISSION FOLLOWING APPLICATION F/0516/95/ROC)

- 2.1 GREAT WAKERING PARISH COUNCIL object on the grounds of overdevelopment in Metropolitan Green Belt and as proposed building would be larger than existing.

NOTES:

- 2.2 This application seeks permission for a detached bungalow to replace the existing three storey flat roofed Water Tower that was granted permission on appeal for conversion to a single residential unit. A previous two storey proposed replacement was recently refused on excessive floorspace and the appeal decision is still awaited.
- 2.3 The size of the replacement dwelling now proposed will be within the limits of policy GB8. It will be located at the front of the site at the southern end of its frontage to Wakering Road and will lie behind a bund already planted with trees and shrubs
- 2.4 Although the operator of the arboricultural contractor's yard will occupy the dwelling, the issue of whether it should be 'tied' was decided in the original appeal where the Inspector, in allowing the residential use of the Water Tower, specifically stated that a tie was not justified in this case.
- 2.5 This proposal if approved will result in the removal of the unsightly and intrusive Water Tower which is located much deeper into the site. In order to ensure this, both a condition and a legal agreement requiring its removal before occupation of the new dwelling occurs is recommended. The applicant has agreed in writing to signing an agreement.
- 2.6 One letter of representation has been received from a NEIGHBOUR objecting to a new dwelling although no specific reason has been given for this, other than the neighbour states her application for a conservatory was refused on 'Green Belt' grounds. The COUNTY SURVEYOR has no objection provided the access into the site is completed in permanent materials. The COUNTY PLANNER (Specialist Archeological Advice) requests a watching brief condition be imposed

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CU/0554/96/ROC RAYLEIGH TOWN COUNCIL AREA169 HIGH STREET RAYLEIGH

CHANGE OF USE OF BETTING OFFICE TO CLASS A3 PIZZA TAKE-AWAY AND DELIVERY SERVICE (OPENING HOURS 08 00 TO 21.00)

Applicant: MR D TYLER

Zoning: Secondary Shopping Frontage

Planning Application Details

- 10.1 This application proposes the change of use of a vacant betting office (Class A2) to a pizza take-away and delivery service (Class A3), with opening hours of 08 00am to 21 00pm. The property is within a small parade of businesses incorporating A1, A2 and A3 uses near to the junction of High Street and Castle Road.
- 10.2 There is a small parking area within the application site which would accommodate delivery motorcycles and a staff car accessed from the High Street.
- 10.3 The applicant has proposed that bollards be sited on the pavement outside the premises in order to prevent parking.
- 10.4 The application is a re-submission following a refusal of planning consent in May 1996, which is now the subject of an appeal. The opening hours now proposed were prompted by the County Surveyor when this earlier application was considered

Planning History

10.5 The most relevant planning history in respect of this site is set out below:

- CU/1058/87/ROC - Change of use from retail to Estate Agents. Refused consent but subsequently allowed on appeal on 25.10 88
- CU/0544/94/ROC - Change Use of A2 betting office to Class A3 pizza take-away/delivery. Refused consent on 30 11.94 for the following reason, as recommended by the County Surveyor:

'The proposal is likely to give rise to short term parking within the highway, particularly during the period of time not covered by the existing waiting restrictions. Vehicles parked within the highway in close proximity to a very busy road junction, would give rise to general conditions of danger and obstruction to other road users to the detriment of highway safety.'

10.6 The County Surveyor also suggested at this time further consideration could be given, namely:

'Further consideration would be given to the proposal should the applicant give an assurance that the premises would not open outside the times of the existing waiting restrictions of 08.00am - 09 00pm.'

- CU/0175/96/ROC - Change of Use of Class A2 betting office to Class A3 pizza take-away and delivery service. Refused consent on 29 5 96 for essentially the reason as above, and with an informative attached regarding further consideration is only open between 0800 to 2100. An appeal has been submitted in respect of this refusal.

Consultations and Representations

- 10.7 The **COUNTY SURVEYOR** has no objection to the proposal. However, he considers that bollards in this location are inappropriate as the footway in front of the premises is narrow.
- 10.8 **RAYLEIGH TOWN COUNCIL** is opposed to the application on highway safety grounds, fearing it would cause parking problems and traffic congestion.
- 10.9 **RAYLEIGH CIVIC SOCIETY** considers that the previous reasons for refusal should similarly be applied to the current application.
- 10.10A **NEIGHBOURING BUSINESS** objects to the proposal on the grounds of it creating parking and highway safety problems, odour and litter. They suggest that bollards be erected along part of the pavement on Castle Road and High Street, together with conditions requiring the installation of odour controlling equipment, regular clearance of litter, and daily removal of waste from the premises.
- 10.11 The **CHIEF ENVIRONMENTAL HEALTH OFFICER** reports that there is potential for nuisance by reason of noise and odour from the proposal and suggests standard conditions should be attached to any consent.
- 10.12 **ANGLIAN WATER** has no objections but states that a fat-trap is required before discharge is made to the public foul sewer and a sieve-screen on sink outlets to prevent vegetable solids entering the system.

Summary of Planning Considerations

10.13 The main planning considerations material to this application can be summarised as follows:

- Planning Policy
- Highway Safety
- Planning History including previous refusal CU/0175/96/ROC as explained above.

PLANNING POLICY

10.14 The application premises is situated within the Secondary Shopping Area of Rayleigh as designated in the Local Plan. Policy SAT3 states that any non-retail uses permitted within such areas must reinforce the retail function, be uses it is appropriate to provide in a shopping area, and will normally be restricted to Class A2 (Financial and Professional Services) or Class A3 (Food and Drink). The explanatory text notes that the Council will endeavour to retain at least half of the frontage in Secondary Shopping Areas in retail use and to avoid an over-concentration of non-retail uses.

10.15 The proposed pizza take-away is an appropriate use in this context being an A3 use. Currently 51.6% of the frontage within the High St/Castle Road Secondary Shopping Area is in retail use. But in any event the retail proportion will not be affected by this proposal as the authorised use of the premises is already non-retail.

HIGHWAY SAFETY

10.16 Highway safety has been the main issue of concern and the reason for refusal in respect of the previous two applications and is again the key consideration in this case.

10.17 There is no formal parking area which could be utilised by the customers of the proposed take-away either within the application site or close by. The nearest public car park is some 180 metres away.

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- 10.18 There is a waiting restriction in operation along High Street and Castle Road which prevents parking between 08.00am - 21.00pm. In respect of the previous applications (opening hours not specified) the County Surveyor was concerned that parking would take place on the highway near to the premises after 21.00pm, that is after the hours of waiting restriction end, which would be detrimental to highway safety.
- 10.19 As the opening hours are now proposed to end at 21.00pm the County Surveyor does not raise objection to the proposal. Although he is aware that the applicant may well apply to extend these opening hours in the future should consent be given.
- 10.20 Clearly, as is often the case in other locations, customers may well park on the roadside near to the application premises despite the parking restrictions in force. This would be a matter of concern particularly due to the alignment of the road and the fact that the premises is located close to the junction with Castle Road.
- 10.21 It is useful to note here the result of a recent appeal at 54 High Street, Rayleigh which related to change of use from A1 to A3 take-away. Despite there being no parking area for customers within or adjoining the site the Inspector considered that the proposal would not result in on-street parking to an extent which would cause unacceptable hazards for highway users. However there were different considerations in that case including a parking bay opposite and a public car park somewhat closer by.
- 10.22 Taking all the above matters into account, but in particular the views of the County Surveyor, it is considered that, on balance, the application should be permitted.

Recommendation

- 10.23 The Director of Environment recommends that this application should be approved subject to the following conditions:

01 TIME LIMITS-FULL-STD SC4

02 EXTRACT VENTILATION SC92

03 NON STANDARD CONDITION

No development shall commence before details of any externally sited refrigeration plant or similar equipment requisite for the purposes of this Class A3 (Food and Drink) use has been installed in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, any such plant/equipment shall be retained and shall only be operated as approved in writing by the Local Planning Authority.

04 HOURS OPEN TO CUSTOMERS SC38

The use of the site hereby permitted, shall not be open to customers outside the hours of 0800 to 2100 Monday to Saturday and 0800 to 2100 on Sundays and Bank Holidays and no deliveries shall take place outside these hours.

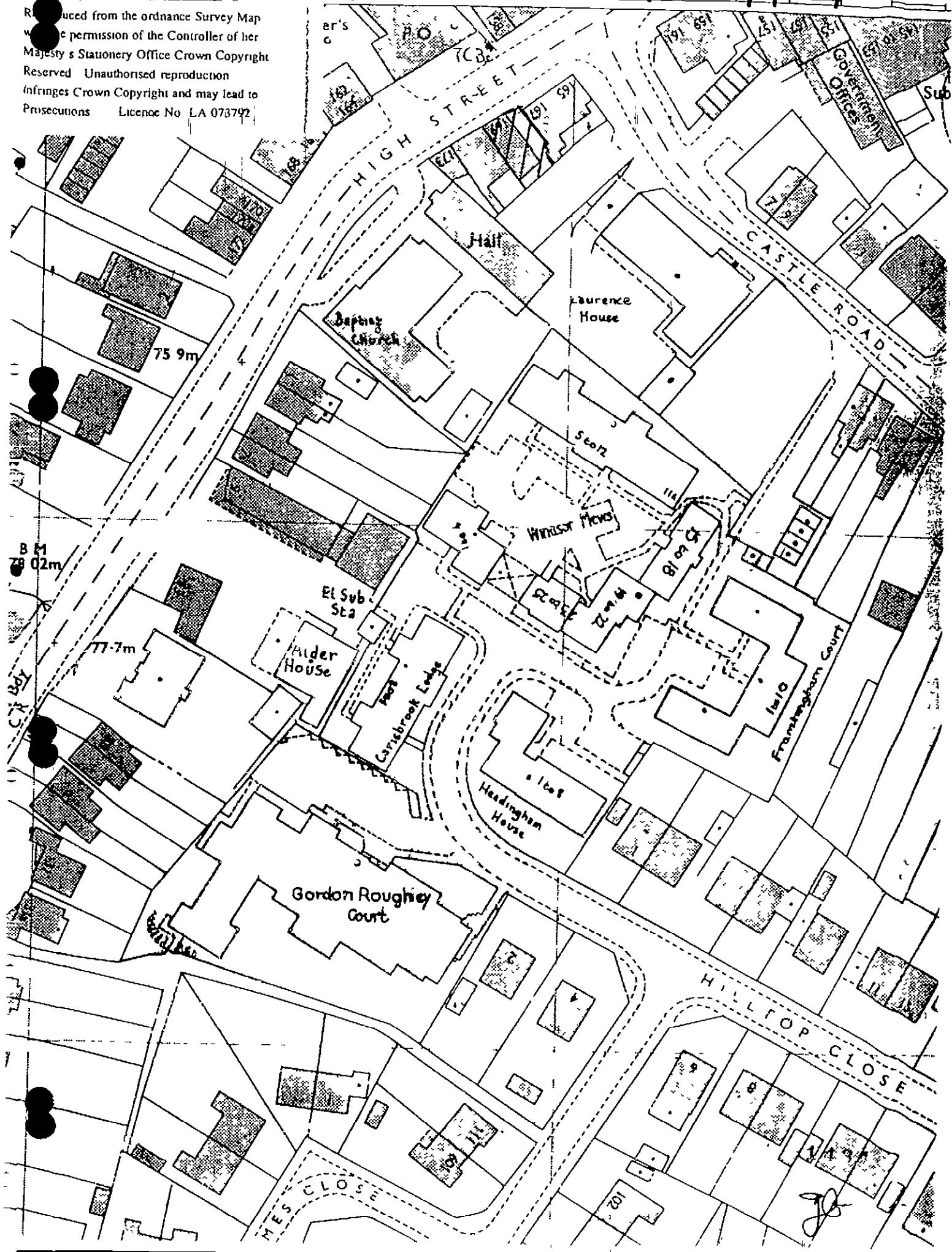
05 NON STANDARD CONDITION

There shall be no burning of waste on any part of the site containing the development hereby permitted.

J.B.

CU/0554/96/ROC

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Handwritten signature or initials.

Chairman: G.M. Giles

date 22/1/97