

Development Control Committee – 20 October 2009

Minutes of the meeting of the **Development Control Committee** held on **20 October 2009** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr P A Capon

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs T J Capon, Mrs J Dillnutt, T E Goodwin, T Livings, C J Lumley, Mrs J R Lumley, J M Pullen, P R Robinson and Mrs C A Weston.

OFFICERS PRESENT

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

PUBLIC SPEAKERS

N Morgan	- Schedule item 1
T Harrold	- Schedule item 3
Cllr Mrs M Spencer	- Schedule item R5
M Terry	- Schedule item R6

253 MINUTES

The Minutes of the meeting held on 24 September 2009 were approved as a correct record and signed by the Chairman.

254 DECLARATIONS OF INTEREST

Cllr Mrs H L A Glynn declared a personal interest in item 2 of the schedule by

virtue of membership of Rochford Parish Council.

Cllr D G Stansby declared a personal interest in item 3 of the Schedule by virtue of his wife having dined at the restaurant.

Cllrs Mrs L A Butcher, T G Cutmore and M Maddocks each declared a prejudicial interest in item R6 of the Schedule by virtue of membership of that particular Conservative Club and left the Chamber during discussion of that item.

255 SCHEDULE OF DEVELOPMENT APPLICATIONS AND ITEMS REFERRED FROM THE WEEKLY LIST

The Committee considered the schedule of development applications, together with items 09/00501/ADV and 09/00530/COU, that had been referred from the Weekly List.

Item 1 – 09/00494/FUL – Asda, Priory Chase, Rayleigh

Proposal – Construct three storey mixed use building comprising three x commercial units (use classes A1, A2, A3, A5, D1 and B1(a) and twenty four affordable residential units.

Mindful of officers' recommendation for approval, Members nevertheless considered that the application should be refused on the grounds that the proposed building would be out of keeping with the surrounding area, was of a scale, form and bulk that was inappropriate in its relationship with nearby dwellings and the proposed amenity space for the proposed flats did not meet the Council's standard.

Resolved

That the application be refused for the following reasons:-

- 1 The proposed building, by way of its design and appearance would be out of keeping with the surrounding area, which essentially comprises domestic scale residential dwellings in traditional external finishes. If allowed, the building proposed would detract from that residential character to the detriment of visual amenity afforded to the street scene and the area more generally.
- 2 The proposed building would be of a scale, form, mass and bulk that would be inappropriate in its relationship with nearby residential dwellings and contrary to parts (ix) and (x) to policy HP6 to the Council's adopted Local Plan, as saved by ministerial direction dated 5 June 2009.
- 3 The proposal would fail to provide satisfactory amenity space for the residential flats proposed in accordance with the Council's standard. If allowed, the future residential occupiers of the building would lack

sufficient space for limited outdoor recreation, storage and drying and would prove detrimental to the amenity that those future residential occupiers ought reasonably expect to enjoy. (HPT)

Item 2 – 09/00511/FUL – Site of 80 West Street, Rochford

Proposal – Demolish front wall. Convert existing building into 4 no. three-bedroomed terraced houses incorporating sloped roofed front and rear dormer alterations, construct two storey building to front containing 2 no. two-bedroomed flats and construct three-bedroomed house at rear.

It was noted that, in response to concerns raised about refuse collection arrangements, officers would liaise with the applicants to resolve any practical issues.

Resolved

That the application be approved, subject to the conditions outlined in the schedule and in the addendum to the schedule and to the following informative:-

INFORMATIVE

The applicant is advised to draw to future occupiers' attention that the licensed premises adjoining the site has existing licences to play outside and inside music and provide entertainment. Future occupiers of the development to which this application relates should bear in mind this existing situation before occupying the premises. (HPT)

Item 3 – 09/00470/COU – The Rose Garden, 33a Aldermans Hill, Hockley

Proposal – Retrospective application for a change of use of building from use as a shop, refreshment room, changing rooms and toilets ancillary to the golf driving range to a mixed use class A3 restaurant and uses ancillary to the golf driving range.

Resolved

That the application be refused for the reasons outlined in the schedule. (HPT)

Item 4 – 09/00547/FUL – 206 London Road, Rayleigh

Proposal – Demolish existing dwelling and construct residential development comprising 10 no. three-bedroomed and 4 no. four-bedroomed houses in two and three storey homes (14 units in total), form new access, estate road, garaging and parking areas.

Resolved

That authority be delegated to the Head of Planning and Transportation to approve the application, following expiry of the press advertisement consultation period after 23 October 2009, subject to the applicants providing an agreement or unilateral undertaking to provide the appropriate contribution to education provision in the site locality, to the conditions outlined in the schedule, to the standard informatives detailed on page 11 of the addendum and the following additional heads of conditions:-

- 12 Before development is commenced details of the estate road to be submitted.
- 13 A footway linking London Road and the development shall be provided with a minimum width of 1.8m.
- 14 A type 5 minor access way shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway between the dwelling and the existing highway.
- 15 The estate road junction onto London Road shall be provided with clear to ground sight splay with dimensions of 2.4m by 120m to the north and 2.4m by 120m to the south.
- 16 The proposed bell mouth junction with the existing highway inclusive of cleared land necessary to provide sight splays shall be constructed with 7.5m radius kerbs to both sides returned to a width not less than 7.5m.
- 17 Prior to occupation the development visibility splays with dimensions of 2.4m by 20m, as measured from along the nearside edge of the carriageway shall be provided on both sides of the private access.
- 18 Prior to occupation each vehicular access shall be provided on both sides a 1.5m x 1.5m pedestrian visibility sight splay.
- 19 No unbound material shall be used in the surface finish of the driveway within 6m on the highway boundary.
- 20 Vehicular hardstanding shall have minimum dimensions of 2.4m x 4.8m.
- 21 Any garage with its vehicular doors facing the highway shall be sited a minimum of 6m from the highway boundary with minimum internal dimensions of 6m x 3m.
- 22 A size 3 side turning head shall be provided, details as shown in Essex Design Guide, shall be constructed to allow fire appliances, refuse and

all other large vehicles to manoeuvre.

- 23 Sufficient parking shall be provided on site: 3-bedroomed house = minimum 2 spaces; 4-bedroomed house = minimum 3 spaces. (HPT)

Item R5 – 09/00501/ADV – 63 – 65 High Street, Rayleigh

Proposal – Replacement of existing signage to front elevation with internally illuminated fascia sign and internally illuminated projecting sign and new internally illuminated sign to rear elevation.

Mindful of officers' recommendation for approval, Members nevertheless considered that the application should be refused on the grounds that the internal illumination and materials proposed for the signage were inappropriate within the Rayleigh Conservation Area.

Resolved

That the application be refused for the following reasons:-

The proposed signage was inappropriate for the Rayleigh Conservation Area, by virtue of the materials proposed and the internal illumination, which would be detrimental to public safety and amenity within the Conservation Area and contrary to policy SAT10. (HPT)

Item R6 – 09/00530/COU – The Old Bakehouse, Back Lane, Rochford

Proposal – Change of use from Conservative club (use class sui generis) to Indian restaurant (use class A3)

Resolved

That the application be approved, subject to the conditions outlined in the schedule and subject to the following revised condition 4 and informative:-

- 4 A mechanical charcoal filter extraction system, with appropriate noise attenuation should it be necessary, shall be provided to the kitchen area in accordance with details submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.

INFORMATIVES

The applicant is advised to discuss with officers and provide highly visible signage that shall be displayed outside the premises indicating that there

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should be no stopping of vehicles and dropping off outside the premises and that there is no takeaway service available from the restaurant. The proprietor should ensure that customers comply with this.

The applicant is reminded of the requirements of condition 3, that no takeaway food shall be available from the premises. (HPT)

(Note: Cllrs J P Cottis, K J Gordon and Mrs G A Lucas-Gill wished it to be recorded that they voted against the above decision).

The meeting closed at 9.45 pm.

Chairman

Date

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