

<p>Item 1 08/00039/FUL</p> <p>Scout Hut, off Ferndale Road, Rayleigh</p>	<p>12 letters have been received and, in addition, a compilation from the applicant of 63 supporting emails, which make in the main the following comments in support of the application:-</p> <ul style="list-style-type: none">• Re-building the scout hut is not much of an issue as the plans only intend to construct what had already been in existence for quite some time.• Good idea for this area of Rayleigh to have a playgroup facility and own children benefited from it being there and the high level of childcare• Staff are excellent with extremely low turnover• Time and effort put into well run outfit with every decision carefully considered• Parking problems are only for a limited period and are not a problem if parents are sensitive and not double parking or kerb parking• Majority of parents walked and those that drove were very considerate• Ludicrous and farcical to deny permission on the grounds of Green Belt.• Had the previous building not fallen into disrepair then the pre-school would still be there now.• Could provide excellent and affordable childcare for the local community• Circumstances merit a departure from policy• The site is on the fringe of Green Belt and has become an eyesore and provides the community with little real benefit• No significant parking issues with previous use• Increase in housing in the area has not been matched by improvements to local infrastructure and therefore vital that the pre-school be allowed to return• When it is warranted the community has a right to expect that policies will be relaxed. If that does not happen there is a need for the community to look at changing the policy makers• Have been working at Downhall Under Fives for past nine years and if well attended groups close, feel sad that effect will split up lots of children from the friends they have made• Essential foundation and feed into Down Hall Primary School• Existing temporary accommodation will become unaffordable as applicants are non-profit making charity and will run at a loss• Noise would not be outside residents' houses but outside the pre-school• Parents want to walk if they can. Whole point is that the site is where the children and families live• Other pre-schools are full• Adverse effect of current arrangement on residents of Thorpdene Avenue, Hullbridge who are unnecessarily affected by vehicles commuting from Downhall Pre-School catchment area
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- Officer report refers to the need for car parking on the site. This would not be the case as only six children would not be within walking distance from the site
- Officer report does not give a true and accurate record of the history of the playgroup or indeed the scout building in this open space that existed previously for many years
- Group were forced to leave the site by circumstances beyond their control and failure of the Council to maintain the building
- Few complaints about it previously
- Council has allowed massive amount of development on Green Belt land in Rawreth Lane and Downhall Under Fives do not have the resources to lobby and make their point, but there is considerable local support for this project and very little opposition to it
- Adequate parking in Ferndale Road adjoining Hullbridge Road
- Application is like for like replacement and not a new build
- Adequate provision in Planning Law to allow this
- Planning department and Council hiding behind the Green Belt excuse because it suits them and not handling the situation sensitively
- It just calls for a little creative thinking
- Council not giving full consideration to all its residents
- Builders would get far easier ride
- If permission is not granted would be happy to explore whether recently converted St Nicholas Church building, Church Road, Rawreth could be used
- Would recommendation have anything to do with non-existent mixed use building at Asda site?
- Education should be high on the Council's priorities
- With existing and planned development for the area there will be greater demand for pre-school places
- Pity Council not so strict about parking requirements for new housing developments
- Just because parents in the past have not been intrusive things may change; have seen the chaos at other schools
- Are developers going to contribute anything to this?
- Council should be brought to task for allowing building to decline
- How many things have been done in recent years that are far from election winners?
- If residents don't like it they should move
- If turned down, resident will have lost all faith in the Planners and Committee who are more interested in building flats than being family friendly
- Excellent pre-school and children loved their time there
- If refusal confirmed, will be a sad day for the young children of Rayleigh
- Scout hut opened in 1983 and demolished in 2007 and stood for 24 years of which 20 years were also used by the pre-school and the Scouts equating to 4 years (16%) of the total years used by the Scouts only.

1 letter has been received from the Pre-School Learning Alliance Development Officer and which makes the following comments in support of the application:-

- Have been offering support to this group for more than five years
- This is a well established committee run pre-school running for many years serving the needs of the local community
- Have had to quit their former building because of its poor state of repair with problems of having to move to temporary premises
- Rayleigh based group
- Parents continue to support the group with the hopeful understanding they will move back to Rayleigh
- Staff are dedicated, experienced and well qualified
- Ofsted inspection of October 2006 gave an overall satisfactory grade and is not a true reflection of the standard of care and education being delivered
- They have raised £12,000 towards a second hand demountable
- Their numbers are healthy and they have a waiting list
- There is a need for this provision in the area.

1 letter has been received from the applicant and which in the main makes the following comments in response to the officer recommendation:-

- The site and application details in the officer report are correct
- Have not been able to secure a lease at the various alternative sites such as the Rawreth Cricket Pavilion. Church hall in Hullbridge can only offer a monthly arrangement. Only seek a like for like replacement of the former building on the site and would still have been there but for the decline in state of the building.
- Have tried unsuccessfully to secure alternative rental accommodation in Rayleigh
- The officer report does not mention earlier planning history such as the 1986 application which was granted and application F/105/92/ROC which each received permission
- Application has taken into account Footpath No. 2 which has been damaged as a result of the demolition work
- Andrew Pinkerton of Lubbards Farm has agreed to lease a maximum of 6 car parking spaces for staff at his site. None of the schools in the area provide parking for parents. No parking for worshippers, staff or parents at the St Thomas of Canterbury Church Hall in Thorpdene Avenue, Hullbridge where currently located and which is a much busier route where parking is mixed with residents and shoppers
- It has never been the desire to sub-let the building for use after pre-school hours. Have always maintained that consideration would be given to the Scouts to use for their group meetings, but only with the approval of the Council. No intention of hiring to third parties.]

- Cannot see that the proposal is inappropriate development. The open character has only existed since the former building was demolished.
- As a result of the demolition the site is left unkempt, neglected and unsightly
- Previous use never adversely affected the wildlife park
- Applicants have spent many hours in discussions with the Council agreeing in January 2007 that the pre-school could enter into negotiations to lease the site
- Hope the wider picture is considered in determining this application.

The applicants have also provided details of their charity registration of 25 May 1993 and registered as a fund raiser and service provider to:-

“Enhance the development and education of children under the statutory school age by encouraging parents to understand and provide for the needs of their children through community groups.

Planning History

In terms of the former building on site, the following history applies:-

ROC/108/86

Change of use of Scout hut to include playgroup and erect shed.

Approved 11th April 1986

Permission temporary, expiring on 10 April 1988.

Hours restricted by condition.

ROC/152/88

Permanent consent for playgroup (renewing existing temporary consent)

Approved 22 April 1988

Permission temporary, to 22 April 1993

Hours restricted by condition.

F/0105/92/ROC

Permanent consent for use as playgroup including change of times, Monday, Tuesday, Wednesday, Friday 9.30 am – 12 Noon with mother and toddler group Thursdays 9.15 – 11.15 am.

Permission granted 8 April 1992

Limited to five years (expiring 7 April 1997)

<p>Item 2 08/00125/FUL</p> <p>1 and 3 Pearsons Avenue, Rayleigh</p>	<p>Rayleigh Town Council</p> <p>Object on the basis of over-development of the site and proposed parking spaces will add to an already congested junction.</p>
	<p>Essex County Council Highways and Transportation</p> <p>No objection, subject to the following heads of condition to any approval that might be given:-</p> <ol style="list-style-type: none"> 1) Visibility splay of 2.4m x site maximum 2) Pedestrian visibility splays 1.5m x 1.5m 3) Provision within the site of an area for the parking of operatives' vehicles and the reception and storage of building materials clear of the highway 4) Provision of wheel cleaning for construction vehicles 5) Driveway to be constructed and completed in bound materials 6) The access to the car park at the rear of the development shall be a minimum width of 3.7m <p>15 further letters have been received in response to the public notification and which in the main make the following comments and objections in addition to those set out in the report:-</p> <ul style="list-style-type: none"> • Disruption of building work • Have seen many changes, most of which have not been for the better • Additional congestion will hamper access for emergency vehicles • County Highways confirm proposal to introduce double yellow lines for first 15m into Pearsons Avenue from London Road by end of March 2008. • Town does not need more flats • Impact of the construction work and 8 properties would cause great risk to child pedestrians attempting to cross Pearsons Avenue and busy junction • Would affect the quality of life of all residents in Pearsons Avenue which is largely populated by elderly people and young families • Increased traffic would be dangerous and socially and environmentally irresponsible • Traffic in such developments will be much higher than that of normal developments due to increased need for services and care of future occupants • Noise, disturbance and fumes not currently experienced will interfere greatly with enjoyment of nearby homes and made worse by vermin to the proposed bin store in rear garden area

- Likely that car park will be illuminated causing further nuisance
- Will set precedent for similar development in the street

At the Members' site visit a number of issues were raised to which the applicant has made the following response:-

Age Restriction

The term age restricted is intended to be for over 55 years of age, being people who are wishing to downsize and move to a situation with neighbours of similar age. It does not mean retirement or sheltered housing as these two terms would imply the need for occupiers to be over 65 years in age and the requirement of communal lounges and wardens.

Officers are not aware that the style of condition recommended has been challenged in the courts. The format and wording of the condition recommended generally accords with that to similar conditions favoured by central Government for agricultural workers or staff accommodation dwellings, and general conditions to restrict uses as described at paragraphs 45 – 48 to circular 11 / 95: The Use of Conditions in Planning Permissions.

Security Gating

The applicant advises that the gating will be dealt with via a key fob or key code gates which all residents would have access to. Postal workers and deliveries will not need access beyond the gates.

Use of the Roof Space

In a revised design and access statement the applicant confirms at paragraph 2.8 that it is not his intention to extend into the roof and would be happy to accept a Planning Condition to this effect.

Officers advise that the roof form has a central height of 3.1m but overall span of only 5.5m surrounding a central flat roofed area behind the main pitched roofed areas. The conversion of this space would give limited potential. Notwithstanding this, a condition preventing use of the roof as accommodation could be imposed, if this was favoured by Members.

Sustainable/Lifetime Homes

The applicant advises that the flats have been designed in full accordance with current building regulations. The guidance in the lifetime homes is very similar to current part M of the Building Regulations and the building incorporates many of the recommendations contained within the sustainable lifetime homes guide. The applicant further notes that the building would have a passenger lift that serves all properties at first floor.

	<p>Officers would advise further that the sustainable code for homes remains voluntary. The lifetime homes standard is also voluntary. As such there can be no effective enforcement of these provisions under the planning system or that would justify withholding consent for these reasons.</p> <p>Refuse Collection</p> <p>The applicant advises that a private waste management company would be employed to collect the waste and recyclable material from the site.</p> <p>Secure by Design</p> <p>The applicant advises that the building has not been designed in accordance with secure by design.</p> <p>Clarification of the Slopes /Access Thresholds</p> <p>The applicant advises that all entrances to the scheme will have the 1.2m area level threshold as stipulated in the building regulations. The applicant advises further that all relevant parts of the building are designed for use and access by ambulant people.</p> <p>REVISED RECOMMENDATION Add further heads of conditions put forward by the Highway Authority, No. 1, 3 to 6.</p>
<p>Item 3 08/00064/FUL</p> <p>Belchamps Camp, Holyoak Lane, Hawkwell</p>	<p>Consultation Response From Woodlands Section</p> <p>The site is subject to a County Council Tree Protection Order 13/65. It is recommended that before permitting development an arboricultural impact assessment be provided. The assessment shall be in accordance with British Standard 5837.</p> <p>No ecological concerns.</p> <p>Officer Comment:</p> <p>The Tree Protection Order relates to individual and groups of trees at the Belchamps campsite, however, there are no trees of any merit within at least 20m of the footprint of the proposed building. Therefore such a precautionary approach in this case is not justified.</p>

<p>Referred Item R4 08/00079/ADV</p> <p>Asda, Rawreth Lane, Rayleigh</p>	<p>1 further letter has been received in response to the public notification and which in the main makes the following comments and objections in addition to those set out in the report:-</p> <ul style="list-style-type: none"> • these signs are far too big • cause distraction to motorists • overwhelming size of these signs is completely out of scale with the largely residential area • requests officers to take a more even handed approach and allow local residents to maintain an acceptable degree of amenity • applicants have reneged on the community aspects of the neighbourhood centre • erection of these illegal signs is another way that applicants manipulate or ignore the planning regulations and those that administer them • signs have been in position for five months • what action can the authority take • action could run concurrent with action against use of area set aside for local community as an overflow car park.
<p>Referred Item R5 08/00020/OUT</p> <p>138 Down Hall Rd, Rayleigh</p>	<p>Consultation response from Woodlands Section</p> <p>Before permitting full planning permission a landscaping scheme is to be submitted for approval. The scheme should pay particular reference to:-</p> <ul style="list-style-type: none"> • BS 3936-1 Nursery stock to be used in the scheme • BS 4428 Recommendations for landscaping <p>The scheme is to list all species to be planted, the specification to be used, planting method statement and aftercare and management. The applicant is to use native species where possible as per Rochford District Replacement Local Plan Section 8 sub-section 8.7 Policy NR1.</p> <p>1 further letter has been received in response to the public notification which makes the following comments and objections in addition to those set out in the report:-</p> <p>Further to the previous letter by this resident at no. 136A they make the following further comments:-</p> <ul style="list-style-type: none"> • Concerns over the rear garden becoming a car park • Are there any tree preservation orders on the trees at rear of the garden? • Cannot see how the rear garden is wide enough to become a car park – neighbours will be affected by car fumes which is not healthy • The hedge to the side of the property needs to be cut back as it is blocking the view for safety reasons for drivers to get out of Preston Gardens into Downhall Road

	<p>Officer Comment:</p> <p>As an outline application the requirements for landscaping are part of condition 1 as printed.</p>
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