

Development Control Committee – 23 October 2008

Minutes of the meeting of the **Development Control Committee** held on **23 October 2008** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr D Merrick

Cllr Mrs P Aves	Cllr M Maddocks
Cllr C I Black	Cllr Mrs J A Mockford
Cllr Mrs L A Butcher	Cllr R A Oatham
Cllr P A Capon	Cllr J M Pullen
Cllr Mrs T J Capon	Cllr P R Robinson
Cllr J P Cottis	Cllr C G Seagers
Cllr T G Cutmore	Cllr D G Stansby
Cllr Mrs J Dillnutt	Cllr M G B Starke
Cllr T E Goodwin	Cllr M J Steptoe
Cllr K J Gordon	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 R Brown, M R Carter, Mrs L M Cox, Mrs H L A Glynn, J E Grey, T Livings, C J Lumley, Mrs J R Lumley, J R F Mason and Mrs C A Weston.

OFFICERS PRESENT

S Scrutton	- Head of Planning and Transportation
M Stranks	- Team Leader (North)
A Law	- Solicitor
S Worthington	- Committee Administrator

PUBLIC SPEAKING

Mr D Keddie	- Schedule item R1
Mr B Parsons	- Schedule item R2
Mr N Baylis	- Schedule item 3
Mrs N Riley	- Schedule item R5

299 MINUTES

The Minutes of the meeting held on 25 September 2008 were approved as a correct record and signed by the Chairman, subject to Minute 271/08 being amended as follows:-

Cllr T G Cutmore declared a prejudicial interest in item R1 of the Schedule by virtue of close acquaintanceship with someone living next door to the applicant and left the meeting during discussion of that item.

300 DECLARATIONS OF INTEREST

Cllr P R Robinson declared a personal interest in item R1 of the Schedule by virtue of having filmed at the application site in a professional capacity.

Cllr Mrs L A Butcher also declared a personal interest in item R1 of the Schedule by virtue of her daughter's wedding being scheduled to take place at the application site the following year.

301 SCHEDULE OF DEVELOPMENT APPLICATIONS / ITEMS REFERRED FROM THE WEEKLY LIST

The Committee considered the schedule of development applications, together with items 08/00661/FUL, 08/00677/FUL, 08/00674/FUL and 08/00705/FUL, which had been referred from the Weekly List.

Item R1 – 08/00661/FUL – The Lawn, Hall Road, Rochford

Proposal – Single storey pitched roofed extension to form orangery.

Mindful of officers' recommendation to refuse the application and of officers' advice to give careful consideration to the issue of setting a precedent, Members nevertheless considered that the application should be approved on the grounds that very special circumstances had been demonstrated that outweighed any harm upon the character, appearance and openness of the Green Belt.

Resolved

That the application be approved, subject to the following conditions:-

- 1) SC 4B Time Limits Full – Standard (3 years)
- 2) No development shall commence before details, including samples of all external facing (including windows and doors) and roofing materials to be used in the development, have been submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.

REASON: To enable the Local Planning Authority to retain adequate control over the appearance of the building, in the interests of the character and appearance of the Grade II Listed Building to which the development relates.

- 3) No development shall commence before precise details of the design and appearance of the windows and doors at a scale of not less than 1 : 20 to be used in the development been submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed in writing by

the Local Planning Authority shall be those used in the development hereby permitted.

REASON: To enable the Local Planning Authority to retain adequate control over the appearance of the building, in the interests of the character and appearance of the Grade II Listed Building to which the development relates.

REASON FOR DECISION

The applicant has demonstrated very special circumstances by way of the significant operational constraints to the business use of a Grade II listed building which exceptionally justify accepting this application and granting consent. (HPT)

Item R2 – 08/00677/FUL – Land Rear of 16 to 24 Kingswood Crescent, Rayleigh

Proposal – Construct 2 no. detached three-bedroomed bungalows with integral garages and access drive.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds that the proposal constituted an unacceptable form of backland development that would lead to a loss of amenity for residents in the neighbouring properties.

Proposed

That the application be refused for the following reasons:-

- 1 The proposal, by way of the siting of the proposed development to the rear of established dwellings, would constitute an unacceptable form of backland development resulting in an unsatisfactory relationship between the development proposed and existing dwellings detrimental to the character of the area in the locality contrary to part (ii) to policy HP14 to the Rochford District Replacement Local Plan (2006).
- 2 The proposal would result in a loss of residential amenity by way of noise, vibration and disturbance to the occupiers of neighbouring properties by virtue of the impact of increased traffic movements along the proposed access to the development sited between dwellings fronting Kingswood Crescent. (HPT)

Item 3 – 08/00670/FUL – Land between the Athenaeum Health Club and Cherry Orchard Way, Rochford

Proposal - Construct five storey 163 room hotel, restaurant, ballroom, and

conference facilities and two storey office buildings, construct new access from Cherry Orchard Way, landscaping and parking.

Resolved

That the application be delegated to the Head of Planning and Transportation to approve if the Environment Agency withdraw their objection on or before 3 November 2008, subject to any recommended condition by the Environment Agency and any further condition thought necessary, and subject to the conditions outlined in the schedule, or to refuse, subject to the informatics outlined in the schedule, in the event of the Environment Agency not withdrawing their objection on or before 3 November 2008. (HPT)

Item R4 – 08/00674/FUL – Land Adjacent to 21 Glasseys Lane, Rayleigh

Proposal – Revised application extension to 21 Glasseys Lane to form new dwelling (creating an end of terrace property) and front porch to No. 21 revising conservatory to form kitchen and raise room height by 0.5 metres.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that this retrospective application should be refused on the grounds that the increased height of the roof ridge was not in keeping with the prevailing street scene.

Resolved

That the application be refused for the following reason:-

The proposal, by way of the increased roof height above the established ridge line of the existing pair of houses, would not be in keeping with the prevailing street scene and the wider group of semi detached houses adjoining the site and would result in an unsatisfactory relationship to those dwellings contrary to part (ix) to policy HP6 to the Rochford District Replacement Local Plan (2006). (HPT)

Item R5 – 08/00705/FUL – 28 Stambridge Road, Rochford

Proposal – Construct single storey flat roofed rear extension, construct pitched roofed dormer to side with roof lights to front and rear and convert building into 2 no. self-contained flats.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds that the proposal would result in overlooking from the kitchen window, there would be a loss of residential amenity as a result of the proposed living space being adjacent to neighbours' bedrooms, and the proposed car parking arrangements would not allow sufficient visibility with

respect to exit and egress of the site.

Resolved

That the application be refused for the following reasons:-

- 1 The proposal, by way of the increased intensity in use of the upper floor room to a kitchen to serve the first floor flat proposed, would result in unacceptable conditions of overlooking from the resultant kitchen window detrimental to the reasonable expectations of privacy and amenity that ought reasonably be expected to be enjoyed by residents adjoining the site and contrary to part (viii) to policy HP6 and part (iii) to policy HP16 to the Rochford District Replacement Local Plan (2006).
- 2 The proposal, by way of the layout conflict between the lounge to the first floor flat proposed and the adjacent bedroom areas to the adjoining dwelling No. 30 Stambridge Road, would result in a loss of residential amenity detrimental to the expectations of quiet that ought reasonably be expected to be enjoyed by those adjoining residents and contrary to part (iv) to policy HP16 to the Rochford District Replacement Local Plan (2006).
- 3 The proposal, by way of the proposed car parking layout, fails to provide adequate parking and manoeuvring of vehicles within the site to ensure vehicles regularly visiting the site could enter and exit the site in forward gear. If allowed, the proposal would result in difficult manoeuvring movements within the site and possible reversing out onto the highway to the detriment of pedestrian and vehicular safety.
- 4 The proposal, by way of the provision of car parking and turning to the rear of the site, would be detrimental to the quiet character of the rear garden areas adjoining the site to the detriment of the amenity that those adjoining occupiers and occupiers of the flats proposed ought reasonably expect to enjoy and contrary to part (iii) to policy HP16 to the Rochford District Replacement Local Plan (2006). (HPT)

The meeting closed at 9.45 pm.

Chairman

Date

If you would like these minutes in large print, braille or another language please contact 01702 546366.