



**Rochford District
Council**

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
DEVELOPMENT CONTROL COMMITTEE - 25 September 2008**

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and locals 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 is filed with representations received and consultation replies as a single case file.

The above documents can be made available for inspection as Committee background papers at the office of Planning and Transportation, Acacia House, East Street, Rochford and can also be viewed on the Council's website at www.rochford.gov.uk.

If you require a copy of this document in larger print, please contact the Planning Administration Section on 01702 – 318191.

Ward Members for Committee Items

DOWNHALL AND RAWRETH

Cllr C I Black

Cllr R A Oatham

HAWKWELL NORTH

Cllr Mrs L M Cox

Cllr M G B Starke

ROCHFORD

Cllr J P Cottis

Cllr K J Gordon

Cllr Mrs G A Lucas-Gill

REFERRED ITEMS

Item R1	08/00567/FUL	Ms Katie Simpson	PAGE 3
	Demolish Existing Dwelling and Construct Detached Four Bedroomed House With Integral Garage. 43 Clifton Road, Ashingdon, Rochford		

Item R2	08/00648/COU	Mr Robert Davis	PAGE 10
	Change Use of Grain Store to Use Class B1 Business For the Storage and Restoration of Vintage Cars. Land West Of Rochford Hall, Hall Road, Rochford		

SCHEDULE ITEM

Item 3	07/00881/DP3	Mr Mike Stranks	PAGE 15
	Change Use Of Land to Provide 5 No. Youth Football Pitches and Extend Car Park to Rayleigh Leisure Centre Playing Field Adjacent to Rayleigh Leisure Centre, Priory Chase, Rayleigh		

REFERRED ITEM R1

**TITLE: 08/00567/FUL
DEMOLISH EXISTING DWELLING AND CONSTRUCT
DETACHED FOUR-BEDROOMED HOUSE WITH INTEGRAL
GARAGE
43 CLIFTON ROAD, ASHINGDON, ROCHFORD**

APPLICANT: MR S JOHNSON (SILVER CITY ESTATES)

ZONING: RESIDENTIAL

PARISH: HAWKWELL PARISH COUNCIL

WARD: HAWKWELL NORTH

In accordance with the agreed procedure, this item is reported to this meeting for consideration.

This application was included in Weekly List no. 946 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on 2 September 2008, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs L M Cox.

The item that was referred is appended as it appeared in the Weekly List, together with a plan.

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- 1.1 **Hawkwell Parish Council:** Following representations by a neighbour, the Chair of Planning has tendered a late objection to the above planning application.
- 1.2 On reflection, the Chairman considers that the application is contrary to the Parish's policy on replacing smaller dwellings with larger executive style homes. It is also considered that its bulk/size is offensive to the street scene and it offends the amenity value of the adjacent properties.

NOTES

- 1.3 Planning permission is sought to demolish the existing dwelling and construct a detached four-bedroomed house with integral garage.
- 1.4 The site is currently occupied by a small 'half a bungalow' which was previously one half of a semi detached pair. The bungalow is currently unoccupied. The application site is a fairly large plot which is presently notably overgrown.

REFERRED ITEM R1

- 1.5 The site is located within an area of residential development. The street scene presents a collection of predominantly detached dwellings, extremely eclectic in design. Although modest sized bungalows and chalets are noticeable within the street, the majority of the dwellings tend to be large houses/chalets of significant scale and form. The buildings within the street present a close arrangement, with the dwellings occupying nearly the full width of their plots.
- 1.6 Immediately adjoining the site at no. 41 is a fairly large chalet style dwelling. No. 47 (Oakwood) spans over effectively a double plot and has been extensively extended, presenting a considerable sized dwelling in scale and form.
- 1.7 The resultant site would provide adequate off street parking spaces for this dwelling in this location.
- 1.8 Plentiful private amenity space (approximately 269.5m²) is provided which is in excess of that stipulated as essential by Council guidance.
- 1.9 The application proposes a detached four-bedroomed dwelling. The dwelling will be approximately 15m in depth, with a width of 9m. A satisfactory 1m is retained between the new dwelling and both side boundaries. The dwelling will reach a ridge height of 8.7m. The plot accommodates the dwelling and it is considered that the new property fits comfortably within the site, maintaining an adequate distance from neighbouring properties and approximately 8.2m from the highway. The resultant dwelling will be similar in form, depth and width to the dwellings seen at no. 51 and 53.
- 1.10 The dwelling is sited in line with no. 41 to the front elevation apart from a first floor overhang of 0.40m. To the rear of the new property a part two storey part single storey arrangement is produced. Nearest to no. 41 the dwelling would extend in two storey form approximately 1.1m past the rear building line of no. 41. The elevation is then taken to single storey for the remaining 2m. This reduces the bulk of the dwelling as viewed from no. 41. Nearest to no. 47 the rear elevation remains two storey in form with a gabled projection.

REFERRED ITEM R1

- 1.11 It is noted that the proposed dwelling is greater in depth than the neighbouring property at no. 41 and is significantly different in scale and form to the small 'half a bungalow' which currently occupies the site. It is recognised that this dwelling will appear to be a more dominant structure on the site and is likely to be unfavourable with the neighbouring residents. This considered it is thought that the neighbouring residents are unlikely to be unreasonably affected by the development, or endure a material loss of amenity, by way of loss of privacy, or loss of light so as to justify refusing the application. The property maintains satisfactory distance from the shared boundary and does not breach the 45° rule applied to two storey extensions. Some loss of afternoon sun is considered likely due to the positioning of the new property west of no. 41, however due to the close assembly of buildings in the street and intimate nature of buildings in the locality, it is considered that no material loss of light would occur, unreasonable or detrimental to residential amenity so as to justify withholding permission.
- 1.12 The position of this dwelling some 4m beyond the rear wall plane of the existing property on the site is considered reasonable.
- 1.13 A number of windows are added to both side elevations. It is considered that no unreasonable overlooking will occur to residents at no. 47 due to the substantial brick wall on the boundary. It is deemed appropriate to condition that the first floor en-suite window is obscure glazed in the interests of privacy. No unreasonable overlooking is said to be generated to the neighbouring property at no. 41. No. 41 does have a first floor gable end window facing onto the site. It is again considered appropriate to obscure glaze both the first floor windows to the side elevation facing no. 41, to offset any issues of unreasonable loss of privacy.
- 1.14 It is considered that the application proposes a dwelling well suited to the site and consistent with the character of the area and appearance of the street scene. The resultant dwelling presents a form and scale comparable with other dwellings in the street. The dwelling will appear more dominant on the street scene in contrast to the small bungalow currently occupying the site; this is, however, not considered to be to the detriment of the street or to the amenity of the immediate surrounding neighbours to justify refusing the application.
- 1.15 The application is therefore considered to be acceptable and it is recommended that planning permission is granted.
- 1.16 **Essex County Highways:** No objections, subject to the following conditions being added to any grant of consent:-
- Visibility splay of 2.4m x site maximum
 - Parking of operatives' vehicles

REFERRED ITEM R1

- The existing vehicular crossing shall be upgraded to current specifications
- Driveway constructed and completed in bound materials

Notes: All works shall be kept clear of the existing telegraph pole.

1.17 **Woodlands Section:** No ecological or tree concerns.

1.18 Two letters have been received (from residents of no. 41 and no. 47) in response to the public notification which makes the following comments and objections:-

- Bungalow is actually a 2-bed detached bungalow
- Bungalow presently unused
- The bungalow is in fact half a bungalow
- Proposed house would be about 4 times as large as the present half a bungalow
- Proposed depth would create a massive structure
- Radical change in the character of the site
- Depth overbearing to no. 41
- If chimney to be a working chimney it would create concern about unpleasant smoke
- Loss of light
- Overlooking to garden of no. 41
- Plans should be amended and any revised application should satisfy concerns of the residents at no. 41
- Brick not in keeping with surroundings
- No indication of routes of services to and from proposed house
- Concern for wildlife
- Unacceptable loss of light to no. 47

1.19 **RECOMMENDATION**

It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:-

- 1 SC4B Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC23 PD Restricted - OBS Glazing
- 4 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, 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 enlargement of or the provision of additional windows, door or other means of opening shall be inserted on either side elevation of the development hereby permitted, in addition to those shown on the approved drawing no. 2233/01, as received on 14 July 2008.

REFERRED ITEM R1

- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, 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 extensions shall be erected on any elevations of the dwelling hereby permitted.
- 6 SC50A Means of Enclosure - Full
- 7 SC59 Landscape Design - Details (Full)
- 8 Prior to the beneficial use of the development hereby approved the garage(s) and hardstand(s) shown on the approved drawing no. 2233/01 have been laid out and constructed in their entirety and made available for use. Thereafter, the said garage(s) and hardstand(s) shall be retained and maintained in the approved form and used solely for the parking of vehicles and for no other purpose that would impede vehicle parking.
- 9 SC76 Parking and Turning Space
- 10 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B and/or Class C, 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 changes or alterations to the rear window/balustrade shall be inserted, or otherwise erected without the prior approval in writing of the Local Planning Authority. Furthermore, the balustrade arrangement to the rear shall be implemented in strict accordance with the details on the submitted drawing, namely fixed tight to the rear face of the dormer before the extension is brought into use and retained in this position such that no outside amenity area, balcony or other sitting out area is formed or accessible from the bedroom.
- 11 No development shall commence before the existing dwelling on the site has been demolished and all materials resulting therefrom have been completely removed from the site.
- 12 A visibility splay of 2.4m x site maximum, as measured from the carriageway Edge, shall be provided with no obstruction over 600mm above the level of the adjacent carriageway.
- 13 Prior to the beneficial use of the development commencing the driveway shall be constructed and completed in bound materials, as approved by the Local Planning Authority.

REFERRED ITEM R1

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

Relevant Development Plan Policies and Proposals:

HP6, of the Rochford District Council Adopted Replacement Local Plan

Supplementary Planning Document 2 (Housing Design).

Supplementary Planning Document 5 (Vehicle Parking Standards).

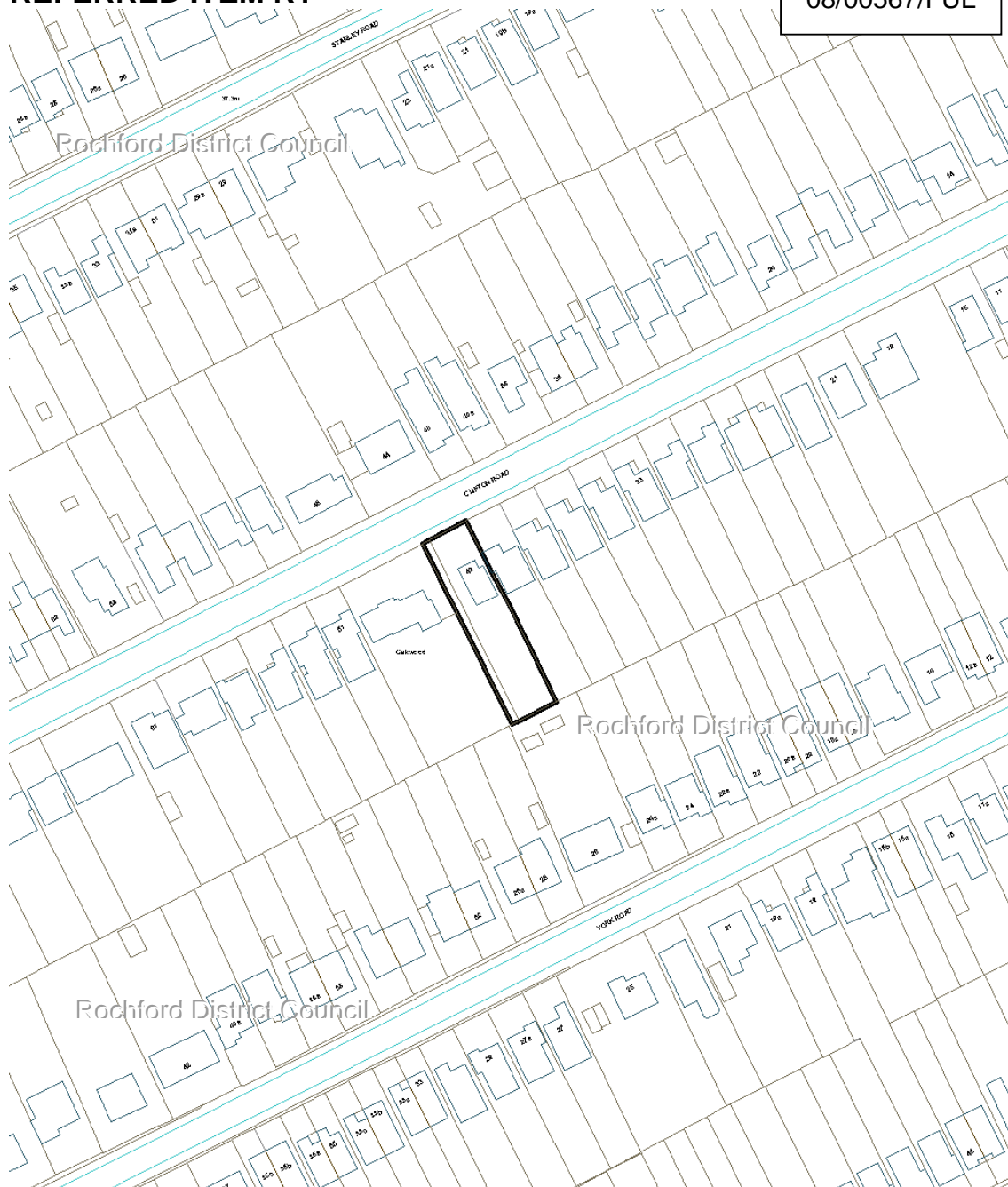


Shaun Scrutton
Head of Planning and Transportation

For further information please contact Katie Simpson on (01702) 546366.

REFERRED ITEM R1

08/00567/FUL



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Rochford District Council, licence No.LA079138

REFERRED ITEM R2

**TITLE: 08/00648/COU
CHANGE USE OF GRAIN STORE TO USE CLASS B1
BUSINESS FOR THE STORAGE AND RESTORATION OF
VINTAGE CARS.
LAND WEST OF ROCHFORD HALL, HALL ROAD,
ROCHFORD**

APPLICANT: MR CHARLES TABOR (TABOR FARMS LTD)

ZONING: METROPOLITAN GREEN BELT

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD

In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List no. 947 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Tuesday, 9 September 2008, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs G A Lucas-Gill and Cllr K J Gordon.

The item that was referred is appended as it appeared in the Weekly List, together with a plan.

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- 2.1 **Rochford Parish Council:** No concerns in principle based on information provided. Have received some concerns from residents regarding the possibility of noise and external storage, but assume this will be closely monitored as part of the planning process.

NOTES

- 2.2 The applicant seeks permission for a change of use of a farm building within the Metropolitan Green Belt to use class B1 (light industrial use) for the storage and restoration of vintage vehicles. The business is run by Mr Overton and is currently based at premises in Broadway, Leigh-on-Sea.

REFERRED ITEM R2

- 2.3 The farm building once used as a grain store is a large (498m²) cement rendered building of Dutch barn style (ref. ROC185/59) with a concrete yard to the north side. South of the barn is a row of collapsing late 19th century lean-to-sheds built up against a Tudor brick wall. To the east of the site is Rochford Hall with the nearest part of that building located 35 metres from the barn. The complex consists of the Grade I listed remaining section of the original 17th century mansion and the former barns, which are a scheduled ancient monument. During the 1980s the barns were converted to residential dwellings. Seventy metres to the north are a row of six early 20th century stock brick estate cottages, with Hall Road beyond.
- 2.4 An application to demolish the barn, remove the concrete yard and erect six cottages (ref. ROC843/86) was refused on 23 January 1986. The proposal was considered to be against development plan policy for the Green Belt and, additionally, would have a detrimental impact on the listed building. The decision was subsequently upheld on appeal.
- 2.5 The main issues involved in the application are:-
1. Re-use of a rural building within the Metropolitan Green Belt
 2. Effect on a listed building, scheduled monument and Conservation Area
 3. Effect on residential amenity
- 2.6 Policy R9 supports the re-use of existing farm buildings. The proposed change of use relates to a building of permanent construction and would require no external alterations. The Policy also states that the proposed use, additional activity and traffic movements should not have a materially greater impact on the Metropolitan Green Belt than the present use. The information provided with the application asserts that it would be a suitable B1 use.
- 2.7 Policy BC5 presumes in favour of preserving important archaeological sites against proposals that would have a significant effect on their setting. The ECC Historic Buildings Adviser states the setting of the listed building would not be affected as no external works are involved and that there may not be any conservation issues involved in the proposal.
- 2.8 Information supporting the application states that the business currently employs four people, including Mr Overton, the owner. The business takes in vintage cars and spends a significant period of time on restoration of each vehicle. The indicated level of use equates to approximately 2-3 vintage cars brought to the site each month, with parts delivered on average two to three times per week by a small van. The works carried out on the vehicles would exclude any spraying and heavy mechanical work. The applicant acknowledges that adjoining residents may be concerned about the re-use of the building for commercial use. He has suggested the following conditions could be implemented:-
1. The use restricted to B1 light industrial use only.

REFERRED ITEM R2

2. Personal consent for Mr Overton only.
 3. Hours of use restricted to 7am-6pm weekdays and 8am-12pm Saturdays.
 4. No external storage.
- 2.9 The Land Use Gazetteer 2nd edition (1997) refers to the restoration of vintage vehicles as falling within Class B2. The storage of vehicles undercover would nominally be B8 unless it was ancillary to a B1 or B2 use. The Use Classes Order makes the proviso that to fall within B1 class a use must be capable of being carried on in any residential area without detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. The definition is also focused on the impact of the use, rather than merely processes or machinery used, and thus the design of the building is relevant. A building that is able to insulate against noise or other noxious elements could therefore contain a use which would be described as B2 in a less suitable building. Correspondingly, if the entrance doors to the barn were opened and this led to the internal activities generating nuisance then the business would not be a B1 use of the building. The applicant has applied for B1 use and this is considered to be a suitable re-use of the building. Enforcement action could be taken if the type of activity undertaken is later found to be outside of B1 use.
- 2.10 Based on the supplied information the proposed change of use would be an acceptable development that would not affect the status of the Green Belt or conservation interests. It is recommended that a number of conditions be imposed in order to respect neighbourhood residential amenity.
- 2.11 **Essex County Council Highways:** de minimis.
- 2.12 **Essex County Council Historic Buildings:** This seems a sensible use for the redundant grain store. May not actually be any conservation issues involved in the case. The store is not a 'curtilage listed' building, as it has only been in place since 1960 and the setting of the listed building would not be affected as no physical alterations are proposed
- 2.13 16 letters of objection received from neighbouring properties. Summary of points:-
 - o Commercial activity unsuitable for location adjacent to historic building.
 - o Concern about noise generation, potential pollution, parking.
 - o Construction of grain store generates noise through reverberation and echoing.
 - o Query where will panel beating and paint spraying take place.
 - o Building not suitable as no internal facilities or ventilation.
 - o Application states toilet facilities are in adjoining building. Where?
 - o Overtons in Leigh is a general car business and creates noise, dust, exhaust fumes, on road parking.

REFERRED ITEM R2

2.14 RECOMMENDATION

It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:-

- 1 SC4B Time Limits Full - Standard
- 2 The building shall only be used for Class B1 Light Industrial Use involving the restoration of vintage vehicles and ancillary Class B8 internal storage of said vehicles; and for no other purpose, including any use otherwise permitted within Class B1 or B8 of the Schedule to the Town and 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.
- 3 The building shall not be used for any purpose, (including panel beating and/or paint spraying) associated with works to vehicles that would ordinarily fall within the provisions of Class B2 "General Industrial", of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (including any Order revoking or re-enacting that Order, with or without modification).
- 4 Notwithstanding the provisions of Article 3, Schedule 2, Part 8, 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 external buildings are to be erected or alterations made to the external fabric of the building.
- 5 The change of use hereby permitted shall be contained within the building and no works shall be undertaken at any time outside of the building; nor shall any vehicles, machinery, goods, materials, including waste materials, be stored or kept outside the confines of the building.
- 6 The use hereby permitted shall not take place, no plant/machinery shall be operated and no deliveries shall be taken at, or dispatched from the site outside the hours of 8am to 6pm; Monday to Friday, 8am to 12pm; on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration.

Relevant Development Plan Policies and Proposals

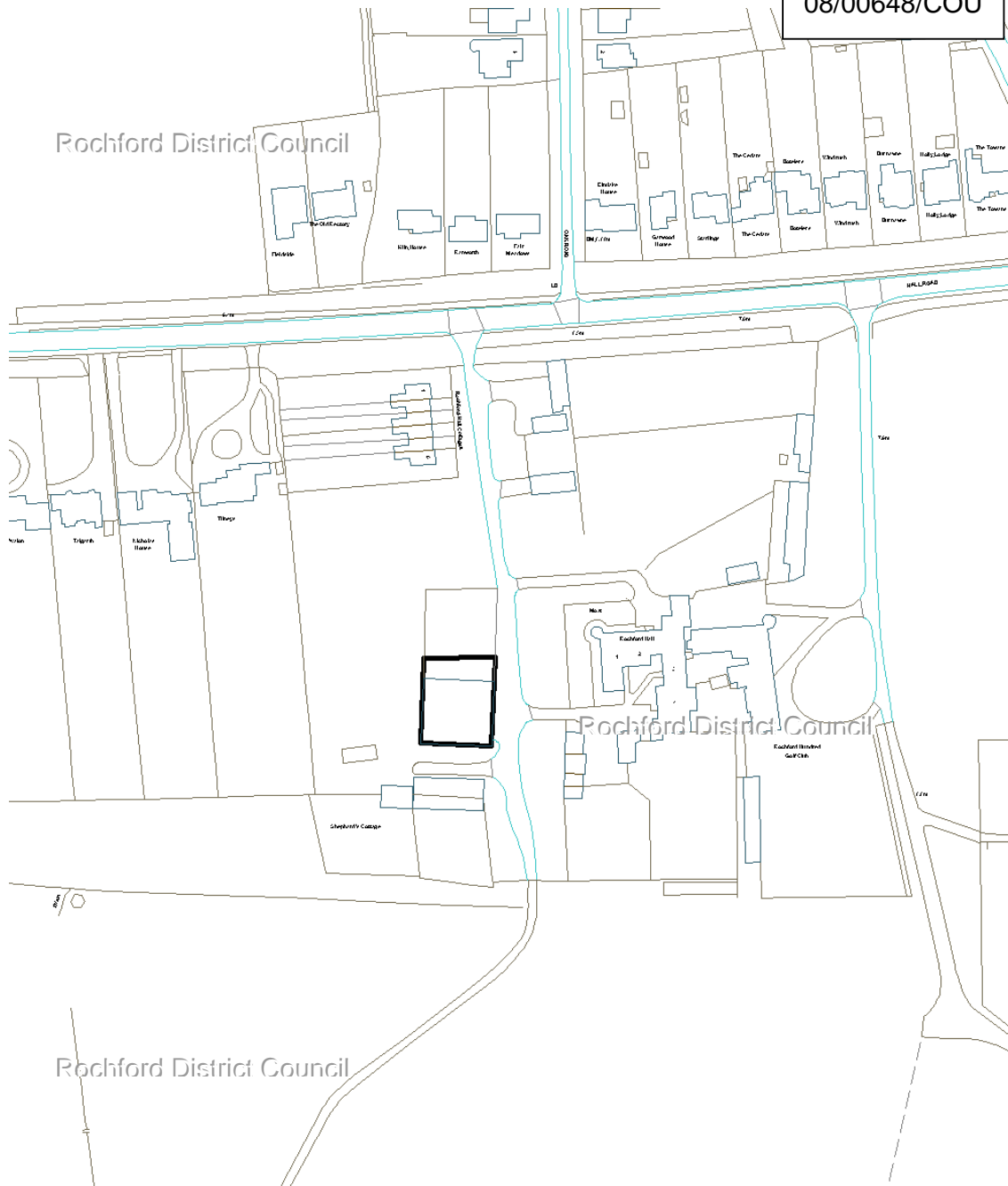
BC5, R9, of the Rochford District Council Adopted Replacement Local Plan



Shaun Scrutton
Head of Planning and Transportation

For further information please contact Robert Davis on (01702) 546366.

08/00648/COU



Rochford District Council, licence No.LA079138

SCHEDULE ITEM 3

**TITLE: 07/00881/FUL
CHANGE OF USE OF LAND TO PROVIDE 5 NO. YOUTH
FOOTBALL PITCHES AND EXTEND CAR PARK TO
RAYLEIGH LEISURE CENTRE
LAND FORMING PART OF SWEYNE PARK AND PLAYING
FIELD ADJACENT TO RAYLEIGH LEISURE CENTRE,
PRIOIRY CHASE, RAYLEIGH**

APPLICANT: ROCHFORD DISTRICT COUNCIL

**ZONING: MIXED USE DEVELOPMENT (THE PARK SCHOOL SITE)
(HP2)**

PARISH: RAYLEIGH TOWN COUNCIL

WARD: DOWNHALL AND RAWRETH

- 3.1 This application is brought before the Development Control Committee because the applicant in this case is Rochford District Council.

THE SITE

- 3.2 This application is to a site to the south of Priory Chase on the eastern side. The open space is located behind Rayleigh Leisure Centre and is currently considerably overgrown.
- 3.3 The site is adjacent and will form part of the newly constructed Rayleigh Leisure Centre complex and is bounded by a primary school and new residential development to the west. A new retail store and established industrial estate adjoins further north. To the south west of the site exists Sweyne Park public open space.
- 3.4 The site has an area of 2.55ha and was previously used as the playing field to the former Park School and also includes part of a tree planted area to the east.

PLANNING APPLICATION DETAILS

- 3.5 The application proposes the change of use of the land to provide 5 no. youth football pitches and extend the car park to the Rayleigh Leisure Centre. The south western corner of the site is separated from the pitches by the new bridle way link to Sweyne Park and is also proposed to be planted with indigenous tree species.

SCHEDULE ITEM 3

- 3.6 Three of the proposed pitches will be small pitches for 'mini soccer' (under 10 years of age) and two pitches will be for 11-a-side junior football (up to 18 years of age).
- 3.7 70 new additional car parking spaces would be provided to the north east of the site and will form an extension to the parking area available for the Leisure Centre.
- 3.8 Provision is also made within the layout for cycle stands and a possible future site for a changing facility.

RELEVANT PLANNING HISTORY

Application no. 01/00762/OUT
Outline application for a mixed use development comprising housing, neighbourhood centre, public open space, primary school and leisure centre
Application Approved 18 June 2003

Application no. 04/00612/REM
Details of spine road, associated footpaths/cycleway, roundabout and turning facilities.
Permission granted 3 September 2004

Application no. 04/00677/REM
Details of two storey building to provide sports and leisure centre with outside playing area, skate park, access and parking areas.
Permission granted 29 October 2004

Application no. 04/00975/FUL
Variation of condition attached to outline 01/762/OUT to allow for separate reserved matters to be submitted and allow flats above the retail units in the neighbourhood centre.
Permission granted 28 February 2005

CONSULTATIONS AND REPRESENTATIONS

- 3.9 **Rayleigh Town Council:** No objections to the application.
- 3.10 **Essex County Council Specialist Archaeological Advice:** The proposed development lies within an area of known archaeological potential. A significant early Saxon cremation cemetery (EHER 14773, 7788) has been excavated in the immediate vicinity and further archaeological features and deposits may survive within the development area.

SCHEDULE ITEM 3

- 3.11 Such deposits are both fragile and irreplaceable and any permitted development on site should therefore be preceded by a programme of archaeological investigation which should be secured by an appropriate condition attached to any forthcoming planning consent. The planning condition based on guidance given in PPG 16 (Planning and Archaeology) now recommended by the Essex County Council Historic Environment Team to be attached to any planning consent reads:-
- 3.12 *'No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority'*
- 3.13 The archaeologist's works is likely to involve a programme of archaeological monitoring and excavation, where appropriate. All recording work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.
- 3.14 **Woodlands Section Consultation – Trees:** The application plans are different to the plans supplied in the arboricultural method statement. The arboricultural tree survey plan and tree protection plan does not contain pitch 5 and has a different layout from that of the application plan.
- 3.15 The tree protection contained within the arboricultural method statement supplied is acceptable and should be erected before development or excavation takes place and not removed until development has finished.
- 3.16 The arboricultural method statement recommends the use of reduced dig or grasscrete constructed parking bays adjacent to T8-T10. Recommend that these trees be removed and replaced elsewhere. They are not particularly large trees and do not offer visual amenity to the existing or proposed site.
- 3.17 The tree planting location in the western corner of the site is acceptable and the suggested replacement hedgerow of Hawthorn is acceptable. Provision for tree planting should be made along Priory Chase between the roundabout and northern corner of pitch 4. This is to provide a noise barrier for the residents of the new housing estate; football matches usually take place on Saturday afternoons or Sunday mornings and can be quite noisy if centered in a quiet location across an open field.
- 3.18 Tree planting specifications, management and aftercare should be submitted as a condition of planning consent, if permitted.

SCHEDULE ITEM 3

- 3.19 **Woodlands Section Consultation – Ecological:** With the preparation of the original phase 1 habitat report the applicant identified what possible ecological concerns had to be taken into account as part of the planning application.
- 3.20 The reptile survey identified as the phase 1 report determined that both common lizards and slow worms were present within the development area. Subsequent translocation and retention of these animals made sure that the proposed development would not have an adverse ecological impact.
- 3.21 The applicant has met all the wildlife responsibilities in full.
- 3.22 **Natural England -** Does not object to the proposed development, provided that mitigation for native reptile populations on the site is carried out, as detailed in the Reptile Survey by Fiona Wells submitted with this application. We consider that this mitigation plan is in line with current best practice and is appropriate to the scale of population found at this site.
- 3.23 **Sport England -** Sport England is familiar with the planning history of the former Park School and has commented on previous planning applications relating to the re-development of this site. Sport England has previously supported the principle of bringing part of the former school site into community playing field use. If implemented, the current proposal would provide 5 new junior or mini football pitches for community use in an area where there is a clear need for additional football pitch provision. The Essex County Football Association confirms the need for the pitches and its support for the scheme.
- 3.24 Planning Policy Objective 7 of Sport England's Planning for Sport and Active Recreation Objectives and Opportunities document (September 2005), supports the development of new facilities that will secure opportunities to take part in sport. As the proposal would clearly meet this objective, Sport England would support the principle of this planning application.
- 3.25 In terms of design and layout of the proposed facilities, the proposed pitches would broadly accord with the recommended orientation for football pitches. The proposal to use the triangular area of the adjoining field (which has recently been planted) for forming part of the playing field is considered to be justified in order to create a fit for purpose playing field. Without this it would not be possible to create a second junior football pitch on the site and the irregular shape of the playing field would not allow the site to be used to its capacity in terms of playing pitches. Additional grasscrete parking is considered to be justified because the peak use of the football pitches (usually Saturday and Sunday mornings) would be expected to coincide with the peak use of the new leisure centre. The reservation of a small part of the site between the skate park and the proposed car park for a potential changing facility to serve the playing pitches is welcomed and considered to be appropriate in view of the number of pitches proposed on the site.

SCHEDULE ITEM 3

- 3.26 Sport England's guidance note 'Natural Turf for Sport' (March 2000) provides detailed guidance in how new playing field sites should be planned, designed and managed if issues such as the layout and drainage of the site are relevant to the consideration of the planning application.
- 3.27 **Highways Authority:** No objections to the proposal as submitted, subject to the following recommended conditions being attached at any grant of consent:-
1. Prior to the beneficial use of development commencing the car parking area indicated on the submitted plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The car park shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 3.28 Six letters have been received in response to the neighbour consultation which in the main make the following comments and objections:-
- What are the plans for the management of the pitches?
 - Who is responsible for maintenance?
 - During what months of the year will the pitches be in use and what time periods and have these been measured in terms of noise?
 - Where the pitches are not in use, ie, out of hours or season, what provisions will be made to ensure the pitches are not used, ie, gates/barriers, or mis-used or in a manner that sees damage, vandalism, noise in the area, breach of security and/or devaluation of residential properties?
 - What provisions will be made to avoid anti-social behaviour and/or gathering of youths in the newly created area. Earlier this year, large groups of youths consistently gathered in Priory Chase outside the leisure centre and skate park areas before and after using the current 5-a-side pitch behind the leisure centre? Community police, Council representatives and the leisure centre agreed to prevent bookings by such youths who were acting in an anti-social way.
 - What provisions will be made to prevent use of pitches by excessive youths utilising the skate park in the area, thus increasing number of youths congregating in the area?
 - What provisions will be made to manage litter in the area? Currently litter is consistently left by youths utilising the skate park and leisure centre. Rochford District Council has currently taken the stance that it is not responsible for litter in Priory Chase as it is still apparently under the responsibility of George Wimpey.
 - What provisions will be made to ensure users of the pitches do use the associated car park, and not Priory Chase outside residential housing? Will any fencing be created around the pitches?
 - Are any flood lights planned in the area?

SCHEDULE ITEM 3

- Are there other Council run pitches of this sort, based as close to residential housing as proposed here? Pitches in the plans appear very close to residential area.
- Additional noise and disturbance
- Vandalism and youths
- Pitch four too close to neighbouring homes
- Increase in traffic
- Pitch five should be removed
- Car parking should be replaced by bicycle parking and pedestrian footways
- Bus service made more frequent and reliable
- Another ecology survey should be implemented in a year's time
- The spraying of glyphosate on the site must be investigated.
- What measure will be put in place to stop parking in Priory Chase?
- Increase in litter
- Planning application is ill-conceived and pays no respect to the residents of Priory Chase or Temple Way.
- Priory Chase and Temple Way are still private roads and have yet to be adopted by the Council, therefore any road markings and parking restrictions are not enforceable; this needs to happen before this and any further developments are considered.
- Gross over-development of this small neighbourhood.

MATERIAL PLANNING CONSIDERATIONS

Application Details/Policy Specifications

- 3.29 Policy LT2 of the Council's Adopted Local Plan (2006) stipulates criteria for which the playing field must provide or accommodate in order to be considered acceptable to gain a grant of approval. The site is level and free draining and was formerly part of the former school playing field.
- 3.30 The proposal intends to create five youth football pitches on land currently overgrown and unused. The pitches will be managed under a grounds maintenance contract with Connaught, as will all other Rochford District Council owned pitches. Connaught will be responsible for all repairs and maintenance including the collection of litter. The pitches therefore will be run independently of the Leisure Centre.
- 3.31 The football season runs from late August to mid May so it is intended that the pitches will be in use at this time. It is predicted that the pitches will predominantly be used on Saturday and Sunday afternoons. The times of matches are determined by the football league. It is possible the times of matches will vary each week.

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- 3.32 When the pitches are not in use the nets will be removed by the grounds maintenance contractor, however it is intended that the land will be available for local residents to use when matches are not scheduled. The area can therefore be used as open space at the convenience of local residents and the wider community, satisfying parts (ii) and (iii) of the Policy LT2 of the Local Plan.
- 3.33 Although no definite information has been provided with regard to clubs interested in hiring the pitches, it is stated on the application form that clubs have been informed of the proposal and have seemed interested. A maintenance contract has been established that will ensure that the area is kept well presented and organised. In this respect it is considered that information has been supplied that indicates the long term retention and maintenance of the area and as such satisfies part vi of Policy LT2 of the Local Plan.

Size of Pitches and Drainage of the Site

- 3.34 The pitch layout design indicates the pitches to be parallel to and well separated from the public highway. The pitches are orientated in such a way as to ensure a minimum level of disturbance to occupiers of the nearby residential dwellings and in the interests of highway safety. This is agreed by Sport England.
- 3.35 The land is generally flat and levels are not intended to be changed. Topsoil is proposed to be added and grass sown over the whole site. It is proposed that a drainage system for the playing field, with connections to the existing perimeter ditch system will be carried out.
- 3.36 It is proposed that the car park will be constructed in a grasscrete permeable system, in which all rainfall will be returned to the ground. Therefore no run off will go into the drainage system.
- 3.37 The size and drainage of the site would satisfy part (i) of Policy LT2 of the Local Plan.

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Access/Parking/Increased Traffic Movements

- 3.38 70 new car parking spaces are proposed to accompany the introduction of five new pitches. This will add to the 96 spaces already available within the leisure centre. The FA (Football Association) suggests that for this amount of pitches proposed 80 car parking spaces should be sufficient. The 70 spaces proposed, together with that available at the leisure centre, are considered to satisfy the demand required. No objection is raised to the proposal by the County Highway Authority. The amount of spaces should alleviate the need for people to park along Priory Chase and mitigate against a highway hazard. The grounds maintenance contractor will be responsible for informing those hiring the site areas to direct cars for parking.
- 3.39 All access to the pitches is via the leisure centre entrance. A new footpath has been introduced leading alongside the new parking spaces to the pitches. Mounds/banks are to be created around the boundaries, as a way of securing the site and keeping access restricted to a designated point.
- 3.40 Provision is made for the storage of bicycles at the edge of the playing field, where they will be secure and in view from the field for security reasons.
- 3.41 A new bridle way link has recently been created by the adjacent private developer as part of the legal agreement, running from Priory Chase to the footbridge crossing into Swayne Park. The south west area of the site separated by this route cannot be used for playing pitches.
- 3.42 It is considered that the application satisfies part (iv) of Policy LT2 of the Local Plan, in which vehicular access to the site from the highway must be accommodated so as not to create a highway hazard.

Trees/Planting

- 3.43 The new bridle way link has meant the area of the south west of the site could not be used for pitches. To accommodate the five pitches proposed a small triangular area, currently planted with trees, is proposed to be removed. The Council has only recently planted the trees in this section of the site. The trees are being grown from whips and are not yet well established. The woodlands officer does not object to this and states that hawthorn hedgerow is a suitable replacement to section off the planted area.
- 3.44 New tree planting is suggested in the south east corner of the site. This again is considered acceptable by the woodlands officer. The trees will provide a sound barrier for the residents south of the site in Arundel Gardens.

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Residential Amenity

- 3.45 It is considered that sufficient measures have been taken to ensure that there is no adverse impact upon residential amenity.
- 3.46 With regards to increased traffic movements and parking, the use of the leisure centre's existing entrance and the provision of substantial parking spaces should reduce the impact upon immediate neighbours and should mean no on-street parking will occur in Priory Chase. The playing fields are only proposed to be used during the day and as such no traffic noise should occur from this site in the evenings.
- 3.47 No flood lights are proposed on the site, restricting use to daylight hours. Any provision of flood lights in the future would require a further planning application.
- 3.48 With regard to noise and disturbance it is not considered that the use would result in a material increase in noise which would result in a loss of amenity to surrounding residents. It is noted that during days scheduled for matches/training the area would be busier than usual and an increase in noise is expected. However, this is not considered to be so significant or during unsociable hours as to result in a detriment to the amenity of surrounding neighbours.
- 3.49 The proposal is considered to satisfy part (v) of Policy LT2 of the Local Plan.

Anti-Social Behaviour

- 3.50 Due to the fairly secluded location of the pitches and the skate park adjacent to the site, it is likely the area will be popular with younger members of the community. The applicant advises that once the pitches are in use, they will be monitored, liaising continually with Essex County Council. Youth workers have already been associated with the skate park. The Council offers a programme of diversionary activities that will also continue. It is therefore considered that measures to suppress anti-social behaviour are already in place and will continue.

New Changing Facility

- 3.51 A possible site for a changing room facility is indicated on the plans sited between the skate park and the new parking area. There is no definite decision as to whether this will be provided in the future. Sport England suggests that it would be beneficial due to the number of pitches on the site. Any future building would require a further planning application to be made.

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CONCLUSION

- 3.52 The proposal would provide a desirable use of the site to enhance leisure provision in the area and complement existing facilities at Rayleigh Leisure Centre and nearby Sweyne Park.
- 3.53 The management regime and provision of additional car parking would provide adequate off street car parking to serve the use proposed and prevent adverse loss of amenity upon nearby residents.

RECOMMENDATION

- 3.54 It is proposed that this Committee **RESOLVES** to **APPROVE** the application subject to the following conditions:-
- 1 SC4B Time Limits Full - Standard
 - 2 No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
 - 3 Prior to the commencement of the development details for the tree planting, planting specifications, management and aftercare shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as may be agreed.
 - 4 The development shall be implemented in accordance with the methodology for mitigation of effects upon the reptile population on the site and as set out in section 7 of the Reptile Survey and Translocation by Fiona Wells Land Management Advisory Service dated July 2008 submitted in support of the application.
 - 5 Prior to the beneficial use of development commencing the car parking area indicated on the submitted plans, including any parking spaces for the mobility impaired, shall be hard surfaced, sealed and marked out in parking bays. The car park shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

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Relevant Development Plan Policies and Proposals

Rochford District Replacement Local Plan (Adopted 16th June 2006)
LT2, TP8.

Supplementary Planning Document 5 Vehicle Parking Standards (January 2007)
Supplementary Planning Document 3 Playing Pitch Strategy (January 2007)

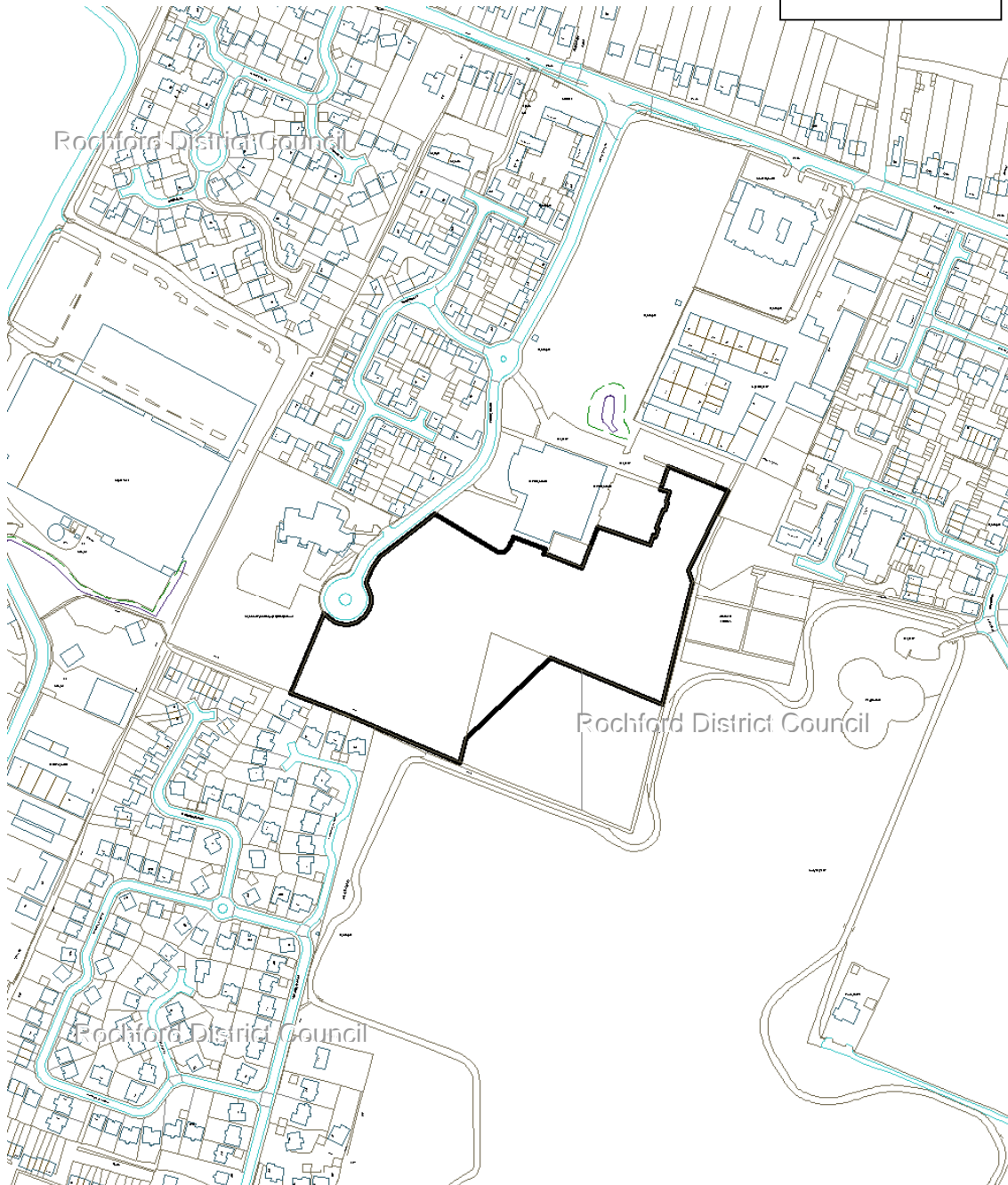


Shaun Scrutton
Head of Planning and Transportation

For further information please contact Mike Stranks on (01702) 318092.

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07/00881/DP3



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NTS



CODE OF CONDUCT FOR PLANNING MATTERS

GENERAL PRINCIPLES

Members and officers must:-

- **at all times act within the law and in accordance with the code of conduct.**
- **support and make decisions in accordance with the Council's planning policies/Central Government guidance and material planning considerations.**
- **declare any personal or prejudicial interest.**
- **not become involved with a planning matter, where they have a prejudicial interest.**
- **not disclose to a third party, or use to personal advantage, any confidential information.**
- **not accept gifts and hospitality received from applicants, agents or objectors outside of the strict rules laid down in the respective Member and Officer Codes of Conduct.**

In Committee, Members must:-

- **base their decisions on material planning considerations.**
- **not speak or vote, if they have a prejudicial interest in a planning matter and withdraw from the meeting.**
- **through the Chairman give details of their Planning reasons for departing from the officer recommendation on an application which will be recorded in the Minutes.**
- **give officers the opportunity to report verbally on any application.**

Members must:-

- **not depart from their overriding duty to the interests of the District's community as a whole.**
- **not become associated, in the public's mind, with those who have a vested interest in planning matters.**
- **not agree to be lobbied, unless they give the same opportunity to all other parties.**
- **not depart from the Council's guidelines on procedures at site visits.**
- **not put pressure on officers to achieve a particular recommendation.**
- **be circumspect in expressing support, or opposing a Planning proposal, until they have all the relevant planning information.**

Officers must:-

- **give objective, professional and non-political advice, on all planning matters.**
- **put in writing to the Committee any changes to printed recommendations appearing in the agenda.**