



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
THE PLANNING SERVICES COMMITTEE on 25 April 2006**

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 Services, Acacia House, East Street, Rochford.

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



PLANNING SERVICES COMMITTEE – 25 April 2006

Ward Members for Committee Items

DOWNHALL AND RAWRETH

Cllr C I Black

Cllr R A Oatham

ROCHFORD

Cllr K J Gordon

Cllr Mrs S A Harper

Cllr Mrs M S Vince

WHITEHOUSE

Cllr S P Smith

Cllr P F A Webster



PLANNING COMMITTEE 25th April 2006

REFERRED ITEM

R1	06/00054/FUL	Ms Sophie Weiss	PAGE 4
	Single Storey Pitched Roofed Rear Extension Forming Self Contained A1 Shop or A2/ B1 Office. 59 Hullbridge Road, Rayleigh		

SCHEDULE ITEMS

2	06/00214/FUL	Mr Leigh Palmer	PAGE 8
	Installation of 3 x 1 Tonne LPG Storage Vessels (1.66m High) Within Walled (2m High) and Palisade Fence (1.8m High) Enclosure. Install LPG Dispenser Rayleigh Garage, 113 - 115 High Road, Rayleigh		
3	06/00199/ADV	Mr Leigh Palmer	PAGE 14
	Erect 3 x Non Illuminated Signs on Roundabout Junction Hall Road/Cherry Orchard Way Land At Cherry Orchard Way Roundabout, Rochford		



PLANNING SERVICES COMMITTEE - 25 April 2006 Item R1
Referred Item

TITLE : **06/00054/FUL**
 SINGLE STOREY PITCHED ROOFED REAR EXTENSION
 FORMING SELF CONTAINED A1 SHOP OR A2/ B1 OFFICE
 59 HULLBRIDGE ROAD RAYLEIGH

APPLICANT : **MR M ISLAM**

ZONING : **NEIGHBOURHOOD SHOPPING PARADE**

PARISH: **RAYLEIGH TOWN COUNCIL**

WARD: **DOWNHALL AND RAWRETH**

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

This application was included in Weekly List no 823 requiring notification of referrals to the Head of Planning Services by 1.00 pm on Tuesday, 11 April 2006, with any applications being referred to this meeting of the Committee. The item was referred by Cllr R A Oatham.

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

-
- 1.1 **Rayleigh Town Council** - Objects as there is insufficient parking to accommodate further outlets and would exacerbate existing parking problems.

NOTES

- 1.2 The applicant seeks permission for a single storey pitched roofed rear extension to form a self contained A1 shop or A2/B1 office to the rear of No.59 Hullbridge Road, Rayleigh.
- 1.3 The proposal is situated within a local neighbourhood shopping parade as designated in the adopted Local Plan. The main frontage of the parade runs alongside Hullbridge Road and contains a pharmacy, post office, hairdresser's, tanning and nail salon and an empty florist shop with flats above. There is a secondary frontage on the return side of 59 Hullbridge Road, which contains an Indian takeaway, newsagent and a Chinese takeaway and parking. There are flats above the Chinese and the newsagent. The return frontage faces fields, therefore the nearest residential properties are the flats above the retail and takeaway units. There is a secondary road off Hullbridge Road and Rawreth Lane to access this shopping parade.



- 1.4 No. 59 Hullbridge Road contains the empty florist shop. To the rear of the florist shop permission was granted (00/00664/FUL) and implemented for a single storey rear extension for an A3 use. This single storey rear extension is occupied by the Indian takeaway mentioned above. Between the single storey rear extension and the newsagent, is a pedestrian access route for the flats, etc. and an area of storage contained within the curtilage of No. 59 Hullbridge Road. This area of storage is presumably currently used by the Indian takeaway and was indicated for parking for the takeaway for the 2000 application mentioned above. This storage area represents a fairly dead and unused frontage at present.
- 1.5 The proposal is located within this storage area and would be for an A1, A2 or B1 office use. The proposal is a very small unit with a WC facility and refuse storage. The unit can be accessed via the pedestrian access or from the front of the unit on the service road. The building is unlikely to have a detrimental impact to the residential flats. Especially as the rear boundary is marked by a single storey extension, the side is the Indian takeaway and there is a pedestrian access to the other side. The building therefore has a minimal impact as single storey and surrounded by buildings.
- 1.6 The neighbourhood shopping parade is located to provide local services for residents. As this is a new unit, there is no objection to the use as A1, A2 or B1 as these could provide a useful local service; it is therefore unnecessary to restrict to a particular use within one of these use classes.
- 1.7 The existing Indian takeaway has an exit into the florist, a front exit and an exit to the pedestrian walkway. It is noted that Building Control are likely to require an additional exit from the rear of the Indian takeaway in cases of fire/emergencies.
- 1.8 The Indian takeaway unit was approved with two car parking spaces within the plot. These are not in place. A brick wall has been erected to the front of the area, preventing parking in this storage area. In addition, due to the informal parking area to the rear, it is considered inexpedient to require additional parking for this proposed unit.
- 1.9 **County Surveyor (Highways):** No objection.
- 1.10 **Environment Agency:** No objections.
- 1.11 One response received from surrounding neighbours, Spice Hut Indian Takeaway, 59 Hullbridge Road, with the following comments:-
- Application will take away car parking space which is essential for me and the staff
 - Have two fires and one will be blocked totally
 - I have storage facility at the moment



APPROVE

- 1 SC4 Time Limits Full - Standard
- 2 SC15 Materials to Match (Externally)-single storey rear extension

REASON FOR DECISION

The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area or residential amenity such as to justify refusing the application; nor to surrounding occupiers in Hullbridge Road and Rawreth Lane.

Relevant Development Plan Policies and Proposals:

SAT1, SAT4, of the Rochford District Council Local Plan First Review

SAT1, SAT5, of the Rochford District Replacement Local Plan



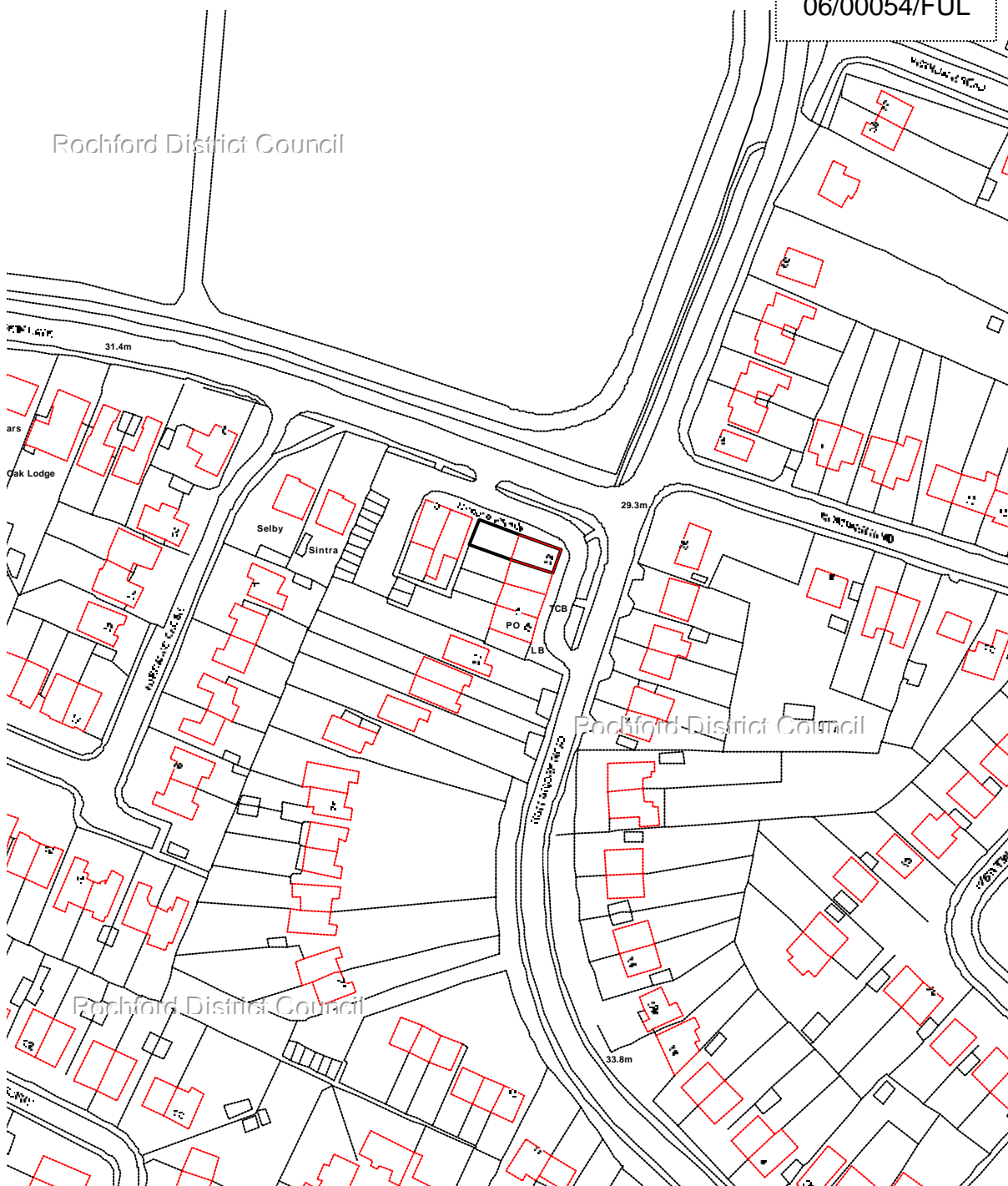
Shaun Scrutton
Head of Planning Services

For further information please contact Sophie Weiss on (01702) 546366.



06/00054/FUL

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NTS



TITLE : 06/00214/FUL
INSTALLATION OF 3 X 1 TONNE LPG STORAGE VESSELS (1.66M) WITHIN WALLED (2M HIGH) AND PALISADE FENCE (1.8M HIGH) ENCLOSURE AND INSTALL LPG PUMP DISPENSER
RAYLEIGH GARAGE 113 – 115 HIGH ROAD RAYLEIGH

APPLICANT : SHELL UK RETAIL

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHITEHOUSE

PLANNING APPLICATION DETAILS

- 2.1 Storage tanks:- permission is sought for the erection/installation of 3 x 1 tonne LPG storage tanks to the rear of the site adjacent to the boundary with the residential boundary of the properties in St Martins Close.
- 2.2 Security Fencing:- The compound for the storage tanks is to utilise the existing 2m high boundary wall to the rear of the site, (the applicants have offered to increase the height of this wall if necessary), and erect a new 1.8m high palisade fence which is to be green in colour around the remainder of the compound side. In addition, the proposed security fencing includes a vehicle crash barrier located on the front and side of the compound.
- 2.3 Pump:- A new pump is to be installed to dispense the LPG, and is to be located on a remodelled pump island adjacent to the other pumps at the site.
- 2.4 Landscaping:- In addition to the security fencing the compound is to be further screened from views from the south of the site by the introduction of a new hedge.
- 2.5 With the earlier application the applicant has confirmed that it is not company practice to place LPG containers underground and that the proposal will have to comply with the relevant British Standards and LPGA Codes of Practice. LPG is used for motor vehicles, is generally known as Autogas and is being encouraged in the UK as an alternative fuel that is believed to have environmental benefits. The site is an existing petrol filling station that sells a range of fuels and the sale of LPG would not conflict with other sales from the site.



RELEVANT PLANNING HISTORY

- 2.6 Two applications have been received (00/00508/& 03/00109) that proposed the installation of LPG tanks at the site. Both applications were recommended by officers for approval but were refused for the same reason:- *The proposed LPG storage tanks installation and wall/fence compound would be an incongruous proposal in the street scene and in close proximity to surrounding residential properties to the detriment of the residential amenity of the area, particularly its visual amenities.*

CONSULTATIONS AND REPRESENTATIONS

- 2.7 **County Highways Officer:-** No objection.
- 2.8 **Rayleigh Civic Society:-** This application is very similar to one made by Shell some years ago. The application was refused mainly due to the opposition of residents whose properties back onto the site. This gives rise to a certain amount of concern as an explosion/fire, should it occur, would certainly damage these properties. We consider this application should be refused.
- 2.9 **Health and Safety Executive:-** The proposed development site is not within the consultation distance of any hazardous installation and HSE has no comments to make on the application in the context of the Planning and Hazardous Substances Act 1990. However, the LPG installation should comply with the relevant standards as set out in the LP Gas Association Code of Practice No 1 *'Bulk LPG Storage at fixed installations – Part 1 design installation and operation of vessels located above ground.*
- 2.10 **Rayleigh Town Council:-** have no objections but would like to have their concerns over vandalism and terrorism noted.
- 2.11 3 letters of objection have been received commenting in the main on the following issues:-
- Hazardous so close to residential properties;
 - Smells;
 - All local residents are elderly and they do not want the threat of these tanks at the end of their gardens, and
 - Should be located underground and not at the bottom of residential gardens.

MATERIAL PLANNING CONSIDERATIONS

- 2.12 The material considerations in this case are:- safety, siting, appearance, noise, activity and smells.
- 2.13 **Safety:-** The installation would have to comply with all relevant standards of regulatory authorities involved, most of which are outside of the planning sphere, and as such a refusal based on safety could not be substantiated.



- 2.14 Siting of the tanks:- The tanks would be located in the same part of the site as the previously refused schemes, namely to the rear of the site, although the siting has moved away from the southern site boundary with 1 to 10 Brook Court, more in line with the garage shop building. Alternative locations within the site are not considered appropriate by the applicants for a number of reasons that relate to access, circulation and safety issues.
- 2.15 The applicants also explain this is the only area of the site where the tank could be located. If this location proves to be unacceptable then the facility would have to be provided at an alternative address.
- 2.16 Appearance:- Since the previous refusal the applicant maintained their reluctance to site the tanks underground. They have, however, proposed security fencing that is to be painted green and also propose the planting of a new hedge. In addition, a further crash barrier is required for security purposes 0.6m in height. The new green fencing and the new planting would improve the external appearance of the compound. The compound will be visible from a number of vantage points, however it is considered that a refusal based on the loss of amenity due to the perceived visual intrusion into the street scene or visual intrusion to the occupiers of the surrounding residents could not be justified.
- 2.17 Noise activity & smells:- The provision of LPG would increase the range of available facilities at the site and also within the locality and as such there may be an increase in associated activity. This point is not considered to be sufficient to justify a refusal given that the new facility will remain a minor component of the authorised use of the site as a petrol filling station. Similarly, given the existing background level of activity, noise and smells associated with the authorised use any refusal based on these factors could not be substantiated.

CONCLUSION

- 2.18 It is considered that the scheme has benefits in terms of adding to the range of alternative facilities on this site and within this part of the district that have wider environmental benefits.
- 2.19 The proposal would not cause any substantive visual intrusion.
- 2.20 There are no substantive objections based on any increase in activity, noise, and smells.
- 2.21 The potential safety fears of local residents have been acknowledged however the installation is to be implemented in line with best practise and safety guidelines from a number of differing bodies.



- 2.22 For the above reasons, officers maintain their professional advice to Committee and remain consistent with the recommendation of approval on the previous applications.

RECOMMENDATION

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

- 1 SC4 Time Limit
- 2 SC14 Materials to be used
- 3 The LPG tanks hereby approved shall not come into beneficial use before the entire compound area is fully constructed in accordance with the details shown on the plans accompanying the application and also in accordance with the LP Gas Association Code of Practice No 1 *'Bulk LPG Storage at fixed installations – Part 1 design installation and operation of vessels located above ground.*
- 4 Prior to the works commencing in relation to the development hereby approved details of the new hedge to be planted shall be submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented at the site in the first planting season following the commencement of the development hereby approved.

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:

EB1, H24 of the Rochford District Local Plan First Review

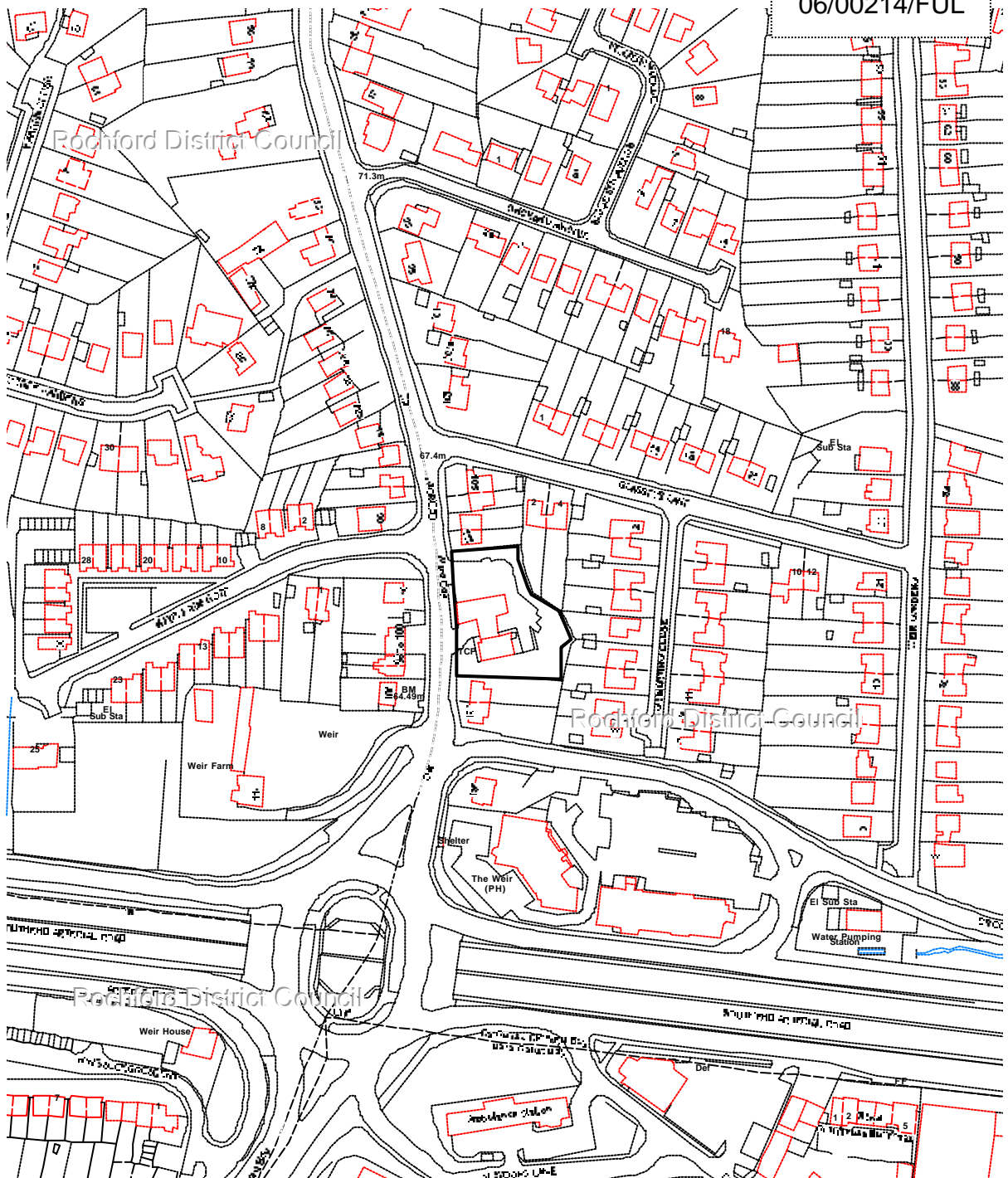


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For further information please contact Leigh Palmer on (01702) 546366.



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NTS



TITLE : **06/00199/ADV
ERECT 3 X NON ILLUMINATED SIGNS ON ROUNDABOUT
JNC. HALL ROAD/CHERRY ORCHARD WAY
LAND AT CHERRY ORCHARD WAY ROUNDABOUT
ROCHFORD**

APPLICANT : **ROCHFORD DISTRICT COUNCIL**

ZONING : **METROPOLITAN GREEN BELT**

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHFORD**

PLANNING APPLICATION DETAILS

- 3.1 Consent is sought for the erection of three advertisement boards located on the Cherry Orchard Way/Hall Road roundabout. The advertisements are intended to highlight sponsorship for the landscaping of the roundabout. The application is silent on the details or management of the landscaping
- 3.2 The proposed signs, three in number, are to be non illuminated and positioned upon the roundabout so that there are no highway safety issues. The applicant confirms that the signs are to be made of steel.

RELEVANT PLANNING HISTORY

- 3.3 There is no relevant planning history in relation to advertisement consent applications for this roundabout.
- 3.4 There has been an approval given on 12 August 2005 (05/00401/ADV) for similar advertisement boards (1m X 0.5m) on the Carpenters Arms Roundabout, London Road, Rawreth.

CONSULTATIONS AND REPRESENTATIONS

- 3.5 **Parish Council:** Out of character with the area.
- 3.6 **County Surveyor (Highways):** The Highways Authority would not normally accept the erection of unauthorised signs on the public highway. However, the signs are perceived to be of community benefit and subject to them formed utilising a light construction to avoid injury then they are prepared to accept the proposal.



- 3.7 The precise setting of the signs, their size and construction, together with an agreement concerning the details of any form of landscaping and future maintenance should be agreed by County Highways officers prior to implementation.
- 3.8 **London Southend Airport** - No safeguarding objections to the proposal.

MATERIAL PLANNING CONSIDERATIONS

- 3.9 The application site is wholly located within the Metropolitan Green Belt in an area where advertisements are restricted to commercial enterprises only and that indiscriminate advertisements/fly posting has occurred in the past with the Council taking direct action. The rationale for this direct action is that the indiscriminate advertisements and fly posting in this location were considered to be detrimental to the character and appearance of the site and surrounding area.
- 3.10 The signs forming part of this application associated with the sponsorship of the landscaping and long term maintenance of this roundabout are considered to be of a size and design and in a location that they would not be visually intrusive or give rise to any material impact upon highway safety.
- 3.11 Details of the proposed landscaping and long term maintenance of the landscaping are to be controlled by planning condition.

RECOMMENDATION

- 3.12 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following heads of conditions:-
- 1 The signs hereby approved shall be implemented on site in the positions approved within 5 years from the date of this consent and shall remain for the period of time that is concurrent with the management/sponsorship arrangement for the landscaping of the roundabout. If the management/sponsorship arrangement ceases then the signs shall be removed from the site within six months from the cessation of the management/sponsorship agreement.
 - 2 SAC3 Advert standard conditions
 - 3 The signs hereby permitted to be displayed, as shown on the plans hereby approved, shall not at any time be illuminated.

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:

GB1, SAT7, SAT8, SAT9 UC7 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

For further information please contact Leigh Palmer on (01702) 546366.



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.

