

**ADDENDUM
PLANNING SERVICES COMMITTEE
24 OCTOBER 2002**

Schedule Item D1	<p>Feedback from the National Playing Fields Association (NPFA) - The NPFA refers to government guidance in Circular 1/97 in respect of matters that can be addressed by Planning Obligations (section 106).</p> <p>The NPFA confirms that the provisions of the Charities Act 1993 mean that any income derived from the use of the land can only be put towards the objectives of the charity. In this case, that is the provision of the field for recreational purposes. Therefore, it is not possible for the land or the proposed building to be used for commercial purposes.</p> <p>The NPFA considers that the LPA is not in a position to control the ownership of the land. It is also noted that the primary use of the site will be for assembly and leisure purposes (Class D2) from which no change of use is permitted in any event without the need to apply for planning permission. The LPA therefore can exercise control over the use of the building.</p> <p>In conclusion, the NPFA considers that the Agreement sought is unnecessary, unreasonable and contrary to government advice. They advise the Town council not to enter into such an Agreement.</p>
Schedule Item R2	<p>Subsequent to the inclusion of this item originally on the Weekly List, a petition signed by 8 households was received objecting in the main on the following grounds:-</p> <ul style="list-style-type: none"> - precedent; - road safety - extra traffic movements onto Ferry Road across the footpath near to the Zebra Crossing will be a hazard to pedestrians - sunlight - the two storey building will cause a loss of sunlight in winter months - noise - from the flats and cars accessing them - loss of privacy - from the windows in the building - devalue our properties - loss of trees and attendant squirrels and birds <p>Officer comment: The County Surveyor does not object to the proposal and his requirements for visibility splay etc are required by condition.</p>

	<p>In terms of impact on residents to the rear of the site in Elm Road, the building to building distance is in excess of 60m. This is very generous by modern standards and there is no basis to resist the proposal. Also the amenity area to be retained at the bottom of the site would allow for tree cover.</p>
Schedule Item 3	<p>Four further letters have been received from local residents. The grounds for objection cited are broadly as follows:</p> <ul style="list-style-type: none"> • One of the pedestrian crossings is in a dangerous location where numerous accidents have occurred • The proposed junction is proposed close to the brow of the hill in a dangerous location • The arrangements will make it dangerous for traffic turning into Parkhurst Drive • Widening the road will result in the loss of trees • The proposed crossings will make it difficult for residents living on the north side of Rawreth Lane to access their properties • The lights of the pedestrian crossings will be intrusive to residents. <p>Officer Comment: with regard to the highway issues raised, the Highway Authority has responded as follows:</p> <ul style="list-style-type: none"> • Brow of the hill, it is understandable why the residents feel that the brow of the hill is not as it is shown on the plan due the undulating profile of the road. However, I have been to the site today and have measured and checked the visibility from both the junction and the crest of the hill. I would confirm that the plan is correct. • Access to properties. Although not ideal the crossing of the right turn lane to access properties is acceptable. Similar instances can be seen along Rawreth Lane. • Parkhurst Drive. Parkhurst Drive is an unadopted road that serves a small number (10-15) residential properties. In the Highway Authorities recommendation it is proposed to review this access at the detailed design stage and if necessary the white lining will be amended. At the detailed design stage the exact location of the islands will also be addressed to ensure all third party accesses are taken into account. • Provision of traffic signals - The applicant has produced a transport assessment based on the outline proposals for this site. Based upon this information a dedicated right turn lane junction is appropriate.

	<p>However, should this application change in its nature the access details would have to be reassessed.</p> <p>Sport England - a further letter has been received. This states that Sport England would support the application, subject to the following caveats:</p> <p>a) The proposed 2.6 hectares of public playing pitches to be adopted by the District Council in perpetuity and to be publicly available for hire at all times. In addition, these pitches to be constructed to a high drainage specification (details to be agreed by Sport England), in order to maximise the benefit to sport through an increased intensity of use.</p> <p>Officer Comment: The Council intends to adopt the pitches and the improvements to drainage would not be unreasonable</p> <p>Any pitches to be provided in association with the proposed Primary School to be made available for community use at weekends for mini-soccer and/or rugby, and to also be constructed to a high drainage specification, as per the pitches referred to above.</p> <p>Officer Comment: The LEA has confirmed that a pitch will be provided and that it will be available for community use at the weekend, subject to increased usage not affecting normal usage during school hours.</p> <p>b) A requirement of the applicants, via the s.106 obligation, to make a financial contribution to qualitative drainage improvements to existing playing fields in Rayleigh, including Rawreth Recreation Ground, John Fisher Playing Fields and Grove Recreation Ground.</p> <p>Officer Comment: The applicant <i>confirms that a sum not to exceed £30,000 will be made available via the 106 obligation</i> to enhance the standard of pitches on the site or at Rawreth Recreation Ground, John Fisher Playing Fields and Grove Recreation Ground.</p>
Schedule Item 4	<p>Environment Agency - following discussions, the Agency has now removed its objection to the scheme, subject to the imposition of the following condition:</p> <p>Provision of a swale/soakaway (close to manhole 510) to store and accommodate for the 1 in 1 year to 1 in 100 year storm; gearing the flows to the original greenfield runoff for</p>

	<p>the site shall be made prior to the completion of the development.</p> <p>Officer Comment: <i>it is recommended that a condition to this effect be appended to those detailed in the report.</i></p> <p>Countryside have provided revised plans illustrating various measures designed to reduce crime, in accordance with the suggestions of the Police Crime reduction Officer. These largely relate to the provision of specific boundary treatments and gates to alleyways.</p> <p>Officer Comment: <i>An additional condition is recommended to incorporate these measures into the scheme.</i></p> <p>It has been noted that there is a minor discrepancy between the elevations and plans to one block of flats, relating to a window being shown on the elevations, but not on the floor plans. <i>An additional condition is recommended to confirm that this window would not be provided.</i></p> <p>Countryside have also provided a letter further supporting the principles of the application and its acceptability in planning terms.</p>
Schedule Item 5	<p>Rayleigh Town Council - no objection to the revised plans (detailing amended access arrangements).</p> <p>Rayleigh Civic Society has responded to say that it has no comment to make on the revised plans</p>
Schedule Item 7	<p>The Department for Transport has responded to consultation indicating that just over a third of the site area is within the Public Safety Zone (PSZ). The basis of the policy approach is that any development that results in an increase in the number of people located in the zone should not be permitted, except, for certain low density uses. It is for this Council to interpret the guidance set out in the Circular.</p> <p>The applicant has made considerable effort to restrict the number of people in the zone and, on the whole, the proposal appears to conform with PSZ policy. The Council may wish to impose conditions restricting the use of the site to that proposed in the revised plans.</p> <p>Officer Comment: On the basis of the DOT comment it is now recommended that the Committee resolves to APPROVE this application, subject to the conditions set out in the committee report. The condition suggested by the DOT is incorporated as no 9 of the committee report.</p>

Schedule Item 8	<p>Rayleigh Town Council, in response to the second round of consultation, objects to the development due to the proximity to the Mount and requests that an archaeological dig be undertaken.</p> <p>One additional neighbouring occupier letter has been received raising, in the main, the following:</p> <ul style="list-style-type: none"> - the application is no different from previous ones which have been refused; - proximity to existing surrounding houses; - pressure on the Mount; - increasing traffic/ road safety problems.
Schedule Item 10	<p>In relation to the second round of consultation English Nature has responded to repeat its previous comment that the decision be informed by the results of an ecological survey.</p> <p>Officer comment: members are advised that the recommendation to this report should refer <i>to Heads of conditions</i> (rather than conditions in the full form)</p>
Schedule Item11	<p>English Nature - comment that the submitted ecological assessment requires the provision of alternative habitat, but does not indicate how this habitat will be maintained in the long term.</p> <p>Officer Comment: <i>it is recommended that Condition 18 detailed in the Officer's report be amended</i> to take on-board English Nature's concern, and ensure that the habitat areas provided be protected.</p> <p>Two further letters of objection have been received, which reiterate points previously made. These are broadly:</p> <ul style="list-style-type: none"> • the houses are too high, and could accommodate a third storey • loss of outlook • loss of privacy • out of character • one of the houses is too small for the plot it is situated on • have drainage matters been addressed? • loss of trees and hedges