

<p>Item R1 10/00079/OUT Land North of New Buildings Cottages, Mucking Hall Road</p>	<p>Contents</p> <ol style="list-style-type: none"> 1. Consultation Response from County Highways 2. Revised plans 3. Conditions 4. Officer comment 5. Revised recommendation. <p>1. Consultation Response from County Highways</p> <p>Received in response to the original plans recommending that the following conditions be attached to any permission granted:-</p> <ol style="list-style-type: none"> 1. Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres x 70 metres to the north, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splay shall be provided before the access is first used by vehicular traffic associated with the development and retained free of any obstruction at all times. <p>Reason: To provide adequate inter visibility between vehicles using the access and those in the existing public highway in the interests of highway safety.</p> <ol style="list-style-type: none"> 2. Prior to occupation of the development the areas within the site identified for the purpose of loading/unloading and manoeuvring shall be provided and retained at all times for that sole purpose as approved in writing by the Local Planning Authority. <p>Reason: To ensure that appropriate loading/unloading facilities are available in the interests of highway safety.</p> <ol style="list-style-type: none"> 3. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been provided. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. <p>Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.</p> <p>2. Revised Plan:</p> <p>In referring the application to the Development Committee for consideration the Ward Member asked if the vehicular access to the site could be repositioned to the north of the buildings, a window in the</p>
---	---

eastern elevation being changed to an emergency escape door and for conditions to be added or amended. The applicant has submitted a revised plan in response to this request that proposes the following revisions:-

1. Window on eastern side of Office/Workshop Unit 1, replaced with a new timber door for use as emergency escape. External door design to match new entrance doors further along elevation.
2. New permanent fence along southern boundary consisting of circular timber fence posts 1.0 metre high with 3no. wire strands or timber boarding spanning across existing entrance to site.
3. New hard standing access road from Mucking Hall Road with access through opening in northern brick wall. Parking details for maximum of six vehicles on site. Existing access to be retained solely for New Building Farm Cottages.

3. Conditions:

If members are minded to approve the application then a variation of condition 5 is suggested:-

- 5 The use hereby permitted shall not take place and no deliveries shall be taken at, or dispatched from the site, outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturdays nor at any time on Sundays, Bank or Public Holidays.

The following additional heads of conditions are also suggested:-

8. Before the use commences either a report detailing why noise attenuation is not required shall be submitted to and agreed in writing by the Local Planning Authority or the building envelope shall be insulated against the egress of internally generated noise, in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.
9. No floodlighting shall at any time be installed and/or operated on any part of the site, except as in accordance with details showing the shielding and orientation of any light source away from neighbouring properties (such lighting shall not be illuminated outside the hours of use set out in condition 5 nor shall they be operated by light sensors) which shall previously have been submitted to and approved in writing by the Local Planning Authority.

10. No amplified speech/music or other form of public address system shall be broadcast or operated on any part of this site.
11. No burning of waste materials shall take place on any part of the site.
12. Prior to the commencement of the use hereby permitted a fence shall be erected between point A to B to C, as marked on the plan, in accordance with details indicated on the approved plan or as otherwise submitted to and agreed in writing by the Local Planning Authority. The fence shall thereafter be permanently retained in that position.
13. The new vehicular access indicated on the submitted plans shall be laid out and available for use prior to the commencement of the use or any works or development hereby permitted. Furthermore, it shall be the sole means of vehicular access to the development hereby permitted.

4. Officer Comment:

This application in its original form and as recommended for approval on the Weekly List proposed to use an existing vehicular access that lies to the southern end of the site and is a shared access with two adjoining residential properties, 1 and 2 New Buildings Farm.

This was considered acceptable by your officers and is the preferred means of vehicular access to the site from the Highway Authority (see response above).

An earlier application 09/00656/FUL for more extensive proposals which was refused on Green Belt grounds proposed a vehicular access to the north of the buildings, as now incorporated in the revised plans. The Highway Authority objected to this on the basis of an unnecessary additional access on the road given the southern shared access already existed. This was not supported by officers or carried through into the refusal.

In short, if Members accept the revised access, it will be against the advice of the Highway Authority. The historical permission of 2001 also included a similar second access to the north.

5. Revised Recommendation

Members will note the above conditions. It is **RECOMMENDED** that **following reconsultation on the revised plans that the APPLICATION BE DETERMINED** by the Head of Planning and Transportation in liaison with Ward Member and Chairman.

<p>Item 2 10/00087/FUL Land North of Sunnyview, Old London Road, Rawreth</p>	<p>Contents</p> <ol style="list-style-type: none"> 1. Essex County Council Environment, Sustainability and Highways. 2. The Royal Society for the Protection of Birds. 3. Statement on behalf of objectors. 4. Further representations of support. 5. Letter stating support from address falsely made. 6. Letter from the applicant 7. Revised Recommendation <ol style="list-style-type: none"> 1. Essex County Council Environment , Sustainability and Highways <p>Raise the following objections:-</p> <ol style="list-style-type: none"> 1. The proposal would give rise to an undesirable intensification of the use of an existing access onto London Road (<i>Officers have since clarified this to mean Old London Road</i>). The access has a sub-standard visibility on the western approach to the access caused by the horizontal alignment of <i>Old London Road</i>. Slowing and turning of vehicles turning right into the site or turning right out of the site would give rise to conditions of danger and obstruction to other road users to the detriment of highway safety. The proposal would therefore be contrary to Policy 1.1. (Safety) Appendix G: Development Control Policies and Processes, Essex Local Transport Plan 2006 / 2011. 2. The proposed development would lead to an increase in unnecessary traffic movements to and from the site in direct conflict with the aims and objectives of Policy 4 (Sustainability) and Policy P3.1 (accessibility) Appendix G: Development Control Policies and Processes, Essex Local Transport Plan 2006 / 2011. 3. The indicated car parking area has 160 spaces arranged as echelon parking set at 45 degrees with arrows indicating a one way system for manoeuvring within the site. It is likely, however, that without the discipline encouraged by marked parking bays, the number of vehicles able to be parked within the parking area will be far less. The lack of available parking spaces within the site may lead to vehicles being parked on Old London Road thereby causing obstruction to other road users. Furthermore there are no footways in this location and therefore any overspill parking or dropping off / collecting players on Old London Road may result in pedestrians walking along the centre of the carriageway thereby causing further conflict with other road users and be detrimental to highway safety. 4. The location, lack of footways and limited access to public transport would mean that virtually all journeys generated by the proposal
--	---

would be by private vehicles. The proposal is not considered to be sustainable due to the reliance on the use of private cars which is in direct conflict with the aims and objectives of Policy 4 (Sustainability) and Policy P3.1 (accessibility) Appendix G: Development Control Policies and Processes, Essex Local Transport Plan 2006 / 2011.

Note:

- i) It was noted during a site visit that the access has not been constructed in a permanent material for its first six metres as conditioned in planning consent 05 / 01043 / COU and as a result, loose material is being dragged onto the highway in contravention of S 151 of the Highways Act.
- ii) It is understood that land opposite the site is in the same ownership as the football pitches. Reason one of the refusal may be able to be overcome by the owner agreeing to cut back vegetation to provide an improved visibility splay that is acceptable to the Highway Authority. However, the provision of improved visibility splays does not overcome the other reasons for objection.

2. The Royal Society for the Protection of Birds

Advise that a member of the public has informed them that skylarks and other wildlife are currently nesting in that area to be turned into a football pitch.

Advise that the skylark is fully protected under the Wildlife and Countryside Act 1981 which makes it an offence to kill, injure or take an adult skylark or to take, damage or destroy and active nest or its contents. The maximum penalty that can be imposed for such an offence is £5,000 and / or six months imprisonment.

Skylark populations are declining in almost all countries of northern and western Europe. In the UK the population halved during the 1990's and is still declining.

Hope this information is considered when the time comes for work to start on the field.

Since the preparation of the officer's report the following statement has been received by and on behalf of the neighbouring objectors:-

3. Statement on behalf of objectors

On behalf of the local residents I draw your attention to the following points which form the basis of our opposition to the above planning application.

The site at the moment has three pitches, playing five matches on a Sunday only. The average amount of cars parked in the car park and on the verges amounts to 140/150 cars. The application states a maximum of 25 games on a Sunday, this equates to $140/150 \times 5 = 700-750$ cars on site or 1500 car movements per Sunday on a quite rural road. This amount of traffic together with the noise and refs whistling will be intolerable to the residents of this part of Rawreth.

Because of the natural gradient on the field, the site for the proposed pitches is always water logged from Xmas to February. According to the application they are applying for Sunday use with occasional Saturday use according to weather. This will mean the pitches will be used Sunday and Saturday which is even more intolerable.

The local wildlife and environment is already suffering due to the present use of the site without any increase. There are Skylarks again using the field, they are a protected species, and we are informed by the RSPCA that any interference with their nesting habits is a criminal action and they are prepared to take action, other wildlife using the site include Owls, Egrets, Kestrels and Badgers.

The very first application by Sports Events, the current users of the site, was reduced from five pitches on the site to three pitches to protect the environment and the quality of life of the local residents. It is obvious that the amount of traffic and people generated by this proposal is unsustainable and we urge you to refuse the application.

4. Further representations of support

Since the preparation of the officer report a total of **423** further copies of the standard letter of support reported at paragraph 2.66 page 25 of the schedule have been received with contributions from the following areas:-

From the following parts of the Rochford District

Rayleigh: 240 of those letters have been received from the Rayleigh area and may include some duplicates from other members of the same household.

Hullbridge: 14 of those letters have been received from the Hullbridge area and may include some duplicates from other members of the same household.

Hockley: 26 of those letters have been received from the Hockley area and may include some duplicates from other members of the same household.

	<p>Hawkwell: 1 of those letters has been received from the Hawkwell area.</p> <p>Rochford: 11 of those letters have been received from the Rochford area and may include some duplicates from other members of the same household.</p> <p>Great Wakering: 1 of those letters has been received from the Great Wakering area.</p> <p>From elsewhere outside the Rochford District</p> <p>Wickford: 11 of those letters have been received from the Wickford area and may include some duplicates from other members of the same household.</p> <p>Benfleet: 6 of those letters have been received from the Benfleet area and may include some duplicates from other members of the same household.</p> <p>Basildon: 7 of those letters have been received from the Basildon area and may include some duplicates from other members of the same household.</p> <p>Hadleigh: 1 of those letters has been received from the Hadleigh area.</p> <p>Canvey Island: 3 of those letters have been received from the Canvey area and may include some duplicates from other members of the same household.</p> <p>Southend – on – Sea: 12 of those letters have been received from the Southend area and may include some duplicates from other members of the same household.</p> <p>Chelmsford: 15 of those letters have been received from the Chelmsford area and may include some duplicates from other members of the same household.</p> <p>Leigh – on – Sea: 14 of those letters have been received from the Leigh area and may include some duplicates from other members of the same household.</p> <p>Westcliff – on – Sea: 3 of those letters have been received from the Westcliff area and may include some duplicates from other members of the same household.</p> <p>South Woodham Ferrers: 5 of those letters have been received from the South Woodham Ferrers area and may include some duplicates from other members of the same household.</p>
--	---

	<p>Burnham - On – Crouch: 3 and may include some duplicates from other members of the same household.</p> <p>Brentwood: 2 and may include some duplicates from other members of the same household.</p> <p>Maldon: 4 of those letters have been received from the Maldon area and may include some duplicates from other members of the same household.</p> <p>Billericay: 3 and may include some duplicates from other members of the same household.</p> <p>Southminster / Upminster / Grays / Rainham / Romford / South Ockenden / Ingatestone: 15 and may include some duplicates from other members of the same household.</p> <p>Dagenham / East Ham : 4 and may include some duplicates from other members of the same household.</p> <p>Cressing / Braintree Halsted : 6 and may include some duplicates from other members of the same household.</p> <p>London : 5 and may include some duplicates from other members of the same household.</p> <p>Boreham : 1 of those letters has been received from the Boreham area.</p> <p>Witham : 2 of those letters have been received from the Whitam area.</p> <p>Colchester : 1 of those letters has been received from the Hadleigh area.</p> <p>Sawbridgeworth : 1 of those letters has been received from the Sawbridgeworth area.</p> <p>Hayes (Middlesex) : 1 of those letters has been received from the Hayes area.</p> <p>Welling (Kent) :1 of those letters has been received from the Welling area.</p> <p>Surrey : 2 of those letters have been received from the County of Surrey.</p> <p>Clayhall : 1 of those letters has been received from the Clayhall area.</p> <p>And 1 anonymous copy of the standard letter.</p>
--	---

38 further individual letters of support have been received from the following addresses:-

From within the Rochford District:

Burrows Way :21,
Clyde Crescent: 24
Eastern Road : 12,
Eastwood Road: 124(4 letters) ,Flat behind Essex Fireplaces,
Four sisters Way : 11 (2 letters)
Glasseys Lane :7
Grove Road ; 1 (3 letters)
Laburnham Way : 1
Louis Drive East :30 (5 letters)
Orchard Avenue : 3
Poplar Road : 18
Queens Road : 2
Southbourne Grove : 33 (2 letters)
Springwater Drive: 22
Springwater Road:106
The Limes Rayleigh : 5
Victoria Road : 47a(2 letters)
Wellington Avenue :27
Wyburns Avenue : 39

And From outside the District ;

Watchove Road, Chelmsford:17
Oakfield Road ,Benfleet : 132 (3 letters)
Chesterfield Avenue , Benfleet: 60
Marcus Chase Thorpe Bay:26

And which make the comments in support as previously reported and in addition the following comment:

- If refused the proposal would be won on appeal and will just force the club to use money and resources to fight it.

5. Letter stating support from address falsely made

1 letter has been received from the following address:

Newton Hall Gardens, Ashingdon : 3

Which advises that following the Council's acknowledgement of the submission made, this resident has no knowledge of the person that has been named to have lived at this address.

6. Letter from the Applicant

Since the preparation of the report the following letter has been received from the applicant's agent:

Thank you for forwarding on the Highway comments in their letter dated 10 April. I have attached below additional comments following this letter.

I note that refusal reason 1 may be overcome and could be addressed through condition if necessary.

With regard to the car park the applicant is happy to accept any reasonable conditions on the design and layout of the car park on the site – there is obviously a balance to be struck between impact on the green belt and effectiveness of the parking area. The surfacing and marking of parking bays can be agreed with the Highways to their satisfaction. It is important to stress that Rayleigh Boys Youth FC are intending to steward the car park area to ensure that no vehicles drop off or park on the roadside verge. Parking layout will be marked with cones on the day to prevent poor parking. This should improve the current situation where parking by the existing clubs is not currently managed onsite. The Applicant is keen to take advice from the experienced Highway Authority on how the parking situation can be best managed and accept any reasonable conditions.

Another concern raised by Highways is the lack of footways in the area which could have an impact on the flow of traffic on the road. The site is accessed in three locations by footpaths crossing the site which enables players and supporters to walk within the site rather than along the road. There is also a footway on the road along the northern boundary of the site and directly from Rawreth village and a bridleway that runs alongside the site on the western boundary. Therefore if players chose to they can easily access the site without walking on the main road.

Rayleigh Boys Youth FC has highlighted their commitment to encouraging car sharing to games. They have well established communication links with players and supporters and can therefore encourage car sharing effectively.

Sport England and the FA Regional Facilities Team provide some feedback in relation to the planning decision;

- On the Green Belt issue, the report does not set out in paragraphs 2.9-2.23 why the scale of use and level of parking adversely affects the openness of the Green Belt – the officer seems to accept that the storage container is OK though. On parking, hardcore parking already exists at the site, the club have offered to minimise any

	<p>impact through surfacing such as plastic matting and that parking will only take place on Sundays and that essential ancillary facilities such as those proposed are acceptable in principle as Green Belt uses. The increase in the number of pitches is acceptable in openness terms as outdoor sport is an acceptable Green Belt use.</p> <ul style="list-style-type: none"> On the residential amenity issue, apart from reference to complaints, no technical evidence appears to have been produced that the level of noise/activity is unacceptable as this is a subjective matter. If this is a reason for refusal, I would expect the Council's Environmental Health department to have made comments explaining why the increase in noise/activity would be unacceptable. The report acknowledges the impact of the A130 on noise but does not reflect that noise/activity will be restricted due to it be on Sunday daytimes for part of the year only which should be a significant consideration. Without a technical basis, this issue seems to be more politically than technically justified. <p>General Comments</p> <ul style="list-style-type: none"> Sport England advise that " a multi-pitch playing field is an acceptable use in a residential area" There is already a level of noise accepted from the existing pitches No of properties affected – 8 in total – parish council say 11 but not sure I thought only 8. Use is for one day a week September – April. Consequently 6 days a week September to April and 7 days a week May to August there will be <u>no activity</u> on the site. Presence of club identity will enable better management and liaison with parish council/residents possible. RBYFC has experience in club management for over 25 years. Have to cancel matches because of pitch quality on council pitches – problem with running effective club without control of pitches. Issues generate previously by lack of management of the pitches – RBYFC onsite will maintain the site and improve use of the site. Encourage car sharing Traffic to the site on A132 is on Sunday only when traffic levels are low so minimal adverse impact on highway capacity. No alternative location in district that would be in a sustainable location away from residents and have no impact on anyone. This site is best opportunity for many years. <p>The REVISED RECOMMENDATION IS REFUSAL for the reasons set out in the report and with the ADDITION OF THE REASONS 1,2,3 AND 4 OF THE COUNTY HIGHWAY AUTHORITY RECOMMENDATION with the correction in highway reason 1 and deletion of the policy references the Highway Authority</p>
--	--