

<b>Item 4</b>  12/00429/FUL 35 London Hill Rayleigh	<b>Contents</b>  <b>1. ECC Highways Further Comments</b> <b>2. Natural England Further Comments</b> <b>3. RDC Ecological Consultant Further Comments</b> <b>4. Additional Information from the Applicant</b> <b>5. RDC Arborist Further Comments</b> <b>6. Neighbour Comments</b> <b>7. Revised Officer Recommendation</b>  <b>1. ECC Highways Further Comments</b>  I can confirm that drawing number 1334.15D shows enough space to turn within the site.  To ensure that there are no issues, you could also suggest that the applicant contacts the fire service to ascertain if they can access the properties.  <b>2. Natural England Further Comments</b>  Thank you for your email. I have reviewed the response to your consultation, however I can see no error in the text. The application site is within 2km of Thundersley Great Common SSSI, however we have no objection to the proposal.  <b>3. RDC Ecological Consultant Further Comments</b>  The latest iteration of the standing advice was issued in October 2013 and so I didn't refer to that when I responded. However, all of my comments and judgments are based upon current best practice guidance, as appropriate to the species in question, which is what the standing advice is now based on as well.  <b>4. Additional Information from the Applicant</b>  The applicant has submitted 6 sketch drawings, a revised tree report with appendix B inserted showing the Cellweb technical recommendation for the driveway construction, among other minor alterations, and two layout plans to scale demonstrating how the driveway works could be undertaken without harm to the TPO tree.
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**5. RDC Arborist Further Comments**

To demonstrate the protection of the T2 walnut (known also as T1 walnut within Tree Preservation Order 08/13) during the proposed development an updated tree report has been produced by Open Space (Landscape & Arboricultural Consultants Limited), reference OS 695-13.Doc1 Rvs A. In addition, hand drawn sketches produced by the applicant, Mr Brian Gunner, have helped in providing an understanding of how the building of the new driveway next to the walnut will be undertaken.

The submitted information identifies two distinct phases of protection of the tree, namely:-

Phase 1: The existing driveway will be used by construction vehicles whilst protective tree fencing/barriers are in position. A trench will be dug with hand tools on the southern side of the existing driveway so that utilities can be laid.

Phase 2: The driveway will be realigned, 'virgin' soil will be built upon with a 'no dig' engineering solution. The protective tree fencing/barriers will be moved at this stage.

The report by Open Spaces outlines the specific methodologies that may be required whilst Tree Protection Plan – Walnut Tree Phase 1 indicates the key stages/methodologies within Phase 1. However, there is no site specific methodology for Phase 2. In addition, the location of the utility trench is not accurate on the tree protection plans. Nonetheless, the sketches provided by Mr Gunner and the accompanying site specific information from the 'no dig' manufacturer is sufficient to demonstrate that problems have been identified, thought through and can be overcome.

Further information will be required to 'firm' up the site specific methodology for Phase 2 that is not within the Open Space documents. However, given that the current methodologies are followed and there is adequate site supervision at the appropriately correct times, then in my opinion the walnut can be successfully retained without detriment.

	<p>Recommendations</p> <p>Given the recently submitted information there is no further objection to the proposal and if planning consent is granted then the following conditions are recommended:-</p> <p>1. Condition</p> <p>No work shall take place on the application site (including any demolition) until the following information has been received and agreed in writing by the LPA that clearly identifies:-</p> <ul style="list-style-type: none"><li>○ the specification of protective tree fencing and the specification of appropriate ground protection specific to the various locations on the site is clarified in writing. The locations and specifications are outlined in the Arboricultural Impact Assessment produced by Open Space (Landscape &amp; Arboricultural Consultants Limited) reference OS 695-13.Doc1 Rvs A and on the Tree Protection Plans produced by Open Space Drawing No.: OS 695-13.3. Date: 26/03/14, Drawing No.: OS695-13.4 Rev A. Date: 27/03/14. Drawing No. OS 695-13.2. Date: October 2013;</li><li>○ a detailed site specific methodology for Phase 2 as depicted on the Tree Protection Plan Walnut Tree Phase 2 produced by Open Space (Landscape &amp; Arboricultural Consultants Limited) Drawing No.: OS695-13.4 Rev A. The methodology must be detailed enough to ensure that there is no ambiguity for the onsite contractors.</li><li>○ a list of key stages where arboricultural supervision is required to ensure that all protection measures (including tree fencing and ground protection) are being implemented and maintained as per the agreed Arboricultural Impact Assessment and Tree Protection Plans produced by Open Space (Landscape &amp; Arboricultural Consultants Limited). A log of visits shall be kept in the site office for inspection by the LPA if required. The key stages shall include:-<ul style="list-style-type: none"><li>○ a pre-construction site meeting between the site agent, the developer's chosen arboriculturalist and the LPA's Arboricultural Officer;</li></ul></li></ul>
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- inspection of the Phase 1 tree protection
- supervision during the digging of the utility trench
- other key stages as identified in the site specific methodology for Phase 2.

The scheme shall be implemented strictly in accordance with the above documents.

1. Reason

To protect the health and welfare of trees with amenity interest and to ensure the protection of existing trees to enable the LPA to retain adequate control over the development and the impact on the existing trees.

2. Condition

Prior and during the commencement of the development the applicants shall implement the recommendations and principles for the protection of existing trees to be retained as part of the development, as contained within the Arboricultural Impact Assessment produced by Open Space (Landscape & Arboricultural Consultants Limited) reference OS 695-13.Doc1 Rvs A and on the Tree Protection Plans produced by Open Space Drawing No.: OS 695-13.3. Date: 26/03/14, Drawing No.: OS695-13.4 Rev A. Date: 27/03/14. Drawing No. OS 695-13.2. Date: October 2013.

The protection fencing and ground protection shall be erected according to the specification and locations shown on the above Tree Protection Plans. Signs will be placed and retained on the tree protective fencing outlining its importance and emphasising that it is not to be moved, nor the area entered into until the end of development. Any changes to the above must be requested in writing and granted by the LPA prior to them being undertaken.

2. Reason

To protect the health and welfare of trees with amenity interest.

**6. Neighbour Comments**

Within the list of addresses whereby responses have been received at paragraph 4.88 of the report No.34 was accidentally missed from this list, therefore responses have been received from 14 rather than 13 addresses. This response did not provide any new arguments to that already summarised at paragraphs 4.89 onwards.

**7. Revised Officer Recommendation**

It is now considered that due to the additional information received from the applicant and the now favourable comments of the Council's arborist that this has overcome the reason for refusal relating to the TPO. The works surrounding the tree would conflict with the suggested condition by ECC Highways relating to the need to ensure the gradient to the driveway is not steeper than 4%. The existing driveway appears to exceed this gradient and with the improved visibility splays that would be achieved for the new access it is not considered that it would be reasonable to refuse the application because of the inability to adhere to this suggested gradient. It is also unclear as to how such a gradient to the entrance would then impact upon the gradients across the rest of the site and thus the feasibility of applying such a condition.

It is therefore considered that the application should now be recommended for approval, subject to the heads of conditions outlined below. The other comments received are not considered to alter the recommendation made and, where reasonable, could be sufficiently addressed by planning condition.

**Heads of Conditions**

1. SC4B – time limits
2. Materials to be agreed, including detailed fenestration designs and finishes
3. Obs glazing to identified windows
4. First and ground floor window restrictions
5. Detailed site level/section drawings across site to be agreed

	<ol style="list-style-type: none"><li>6. Section drawing to be agreed between garage and No. 27 incorporating land level reduction</li><li>7. No dormers, roof lights</li><li>8. Archaeological investigation</li><li>9. Foul water drainage to be agreed</li><li>10. Flood risk assessment and sustainable surface water drainage to be agreed</li><li>11. Visibility splay 2.4m x 33m and 2.4m x 30m</li><li>12. Replacement walling along visibility splay to be agreed</li><li>13. Pedestrian visibility splay 1.5m x 1.5m</li><li>14. Driveway width to entrance 5.5m for 6m and dropped kerb</li><li>15. Vehicular turning facility to be agreed</li><li>16. Vehicular hardstandings 2 per plot 2.9m x 5.5m</li><li>17. Garages, bike stores and log stores to be implemented</li><li>18. Visitor parking including a disabled bay and powered two wheeler spaces to be agreed</li><li>19. No unbound material within 6m of highway</li><li>20. Driveway at right angles to highway</li><li>21. Preventing discharge of surface water onto highway to be agreed</li><li>22. Reception/storage of building materials and parking of operatives' vehicles to be agreed</li><li>23. Wheel washing facility to be agreed</li><li>24. Travel scheme for sustainable travel to be agreed</li><li>25. Methods to enhance biodiversity to be agreed</li></ol>
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	<p>26. Assessment of badger sett prior to works commencing</p> <p>27. Soft and hard landscaping to be agreed</p> <p>28. Further tree related information to be agreed</p> <p>29. Tree protection fencing during construction works</p> <p>30. Lifetime homes to be agreed</p> <p>31. Retaining walls to be agreed</p> <p>32. Boundary treatment to be agreed</p> <p>33. Lighting strategy to be agreed</p> <p>34. Refuse positionings to be agreed.</p>
<p><b>Item 5</b></p> <p>14/00074/FUL  89 Crouch Avenue,  Hullbridge</p>	<p><b>Contents</b></p> <p><b>1. Hullbridge Parish Council</b></p> <p><b>2. Additional Neighbour Comments</b></p> <p><b>1. Hullbridge Parish Council</b></p> <p>Agree. No comments.</p> <p><b>2. Additional Neighbour Comments</b></p> <p>3 letters have been received from the following addresses:-</p> <p>Crouch Avenue: 85</p> <p>Waxwell Road: 47, 49</p> <p>And which in the main makes the following comments and objections in addition to those set out in the report:-</p> <ul style="list-style-type: none"> <li>○ I object to this planning application because we will have 6 windows looking directly into my bathroom and bedrooms. The current plot is A/ facing the other way and B/ not a house so this is not an issue at present. Also the unmade road will become worse due to the extra traffic for building access.</li> </ul>

- Parking on Waxwell/Crouch Avenue is bad at the current time and I feel this will become a lot worse with the extra 2 dwellings.
- At present the site has one bungalow with driveway and garage accessed from Crouch Avenue so does not impact on Waxwell Road. However, the new proposal will have two driveways exiting onto Waxwell Road very close to the junction with Crouch Avenue, which must have safety implications for both motorists and pedestrians.
- I am aware the current plans show integral garages (rarely used for purpose, generally full of garden furniture, deep freezers, lawn mowers and any overflow from the house) and single car hard standing but with four bedrooms per house each property could have as many as five cars; where are the additional vehicles to be parked in what is already a crowded area? The frontage of the plot is longer on Crouch Avenue than it is on Waxwell Road, is if the houses were built facing Crouch Avenue; it follows that their driveways would be further from the road junction and there would be additional road space for the inevitable overspill of cars to park.
- When viewing the existing building 89 Crouch Avenue it is a single storey dwelling with a flank wall (no window apertures) facing Waxwell Road. As per proposed plans, clearly this would change radically with two upper floor bedrooms per building facing existing housing on Waxwell Road with the obvious lack of privacy as a consequence. However, if the houses were built facing Crouch Avenue then as exists currently and according to submitted plans a flank wall (no window apertures) would be facing Waxwell Road. Furthermore, from Waxwell Road residents would face the side elevation of only one building, not the two front elevations as planned, which would be far less overpowering.
- Having spoken to local residents we are of the opinion the only reason for changing the access is financial. The appalling condition of Crouch Avenue would clearly have reparation cost implications on the project, and the finished houses will have greater value facing Waxwell Road. It is felt that this is not a justifiable reason to blight the existing properties on Waxwell Road.



	<ul style="list-style-type: none"> <li>○ In conclusion I am sure all home owners in the area would welcome a single dwelling on the proposed site, but two properties of dubious style would seriously impact on the residents of Waxwell Road.</li> <li>○ Over-development.</li> <li>○ Traffic generation/access</li> <li>○ Parking.</li> </ul>
<b>Item 7(2)</b>  14/00050/FUL 58 Sutton Road Rochford	<b>Contents</b>  <b>1. Additional Comments from the Applicants</b> <b>2. Neighbour Comments</b> <b>3. Alteration to Report</b>  <b>1. Additional Comments from the Applicants</b>  a. Neither my wife nor I have involvement with any other premises at present. I was the Managing Director for CFP Community Services, which provided day care and community support for people with learning disabilities until October 2012 when the company ceased trading.  My wife is currently employed by a private mental health hospital as a senior Operational Manager and has worked at Runwell and the Priory as a Senior Manager in the past.  We have no interests or involvement in premises or homes for any client group other than the fact that my wife is employed by this company, which is based in Hertford. I believe that the individuals may know of the positions we held previously and assume that we are still engaged in those activities, which is incorrect.  b. Further to my previous email yesterday, I can confirm that neither my wife nor I have any personal interest or involvement locally in homes for people with learning disabilities/mental health issues. As described, my wife is employed by a company to manage their services.

Our application for 58 Sutton Road is a personal application and has nothing to do with her employers. I was previously responsible for developing residential services for the NHS, but retired from that post several years ago. I provided day care and community support as described for the elderly and for people with learning disabilities until 2012. I am no longer involved in that service.

## **2. Neighbour Comments**

Three neighbour objections have been received.

- a. 64 Sutton Road – No consultation documents have been received regarding this application, nor have I noticed any advertisements or notices to this effect. There is a requirement that local consultation is undertaken. I submit that this has not taken place and therefore the application notices should be reissued and the timescales changed to allow local residents time to fully assess the impact of this application.

From initial inspection of the application (although supporting documents/plans are not available on your website at the time of this submission) I object to this application on the following grounds:-

Noise and Disturbance – Care homes are, by their very nature, a 24/7 operation with the potential for additional vehicular access (including emergency vehicles) throughout the day and night. There may also be alarms and patient call systems that would cause further nuisance.

Over-development – The property, even after the proposed extension, will not be in keeping with the existing surrounding domestic dwellings and will not have ample provision for parking or additional vehicular access. Situated on a busy main road, this application is not in keeping with the nature of the surrounding area. There are already issues with restricted parking in the surrounding roads, which will be exacerbated by this application.

Parking – As already stated, I have grave concerns over the adequacy of parking within the planning application, given the nature of the road on which it is situated and the restricted parking nearby.

Poor Layout/over-development – Although I cannot see the plans on the website, I cannot see how a care home of such a size, with staff and the associated access requirements, can be accommodated within the plot without severe impact on the properties adjoining, particularly No. 60, which has a shared driveway with No. 58.

Traffic generation/Access – Through experience, I can vouch that access into and out of properties along this stretch of Sutton Road is not easy and any additional vehicular access will greatly increase that burden. The plot does not allow sufficient area for parking of sufficient vehicles for support staff/visitors and still allow access for emergency vehicles. The experience of the care home at the end of Warwick Drive suggests that visitors and emergency vehicles park inconsiderately; the consequences of potential parking on Sutton Road would be highly detrimental to traffic flow with a knock-on effect throughout the surrounding area. I object strongly to this application, with my major objection being that the required documentation has not been made available to me, as required as a neighbouring dwelling. My further objections above have been made based on preliminary views of the application only and if I had access to the plans and supporting documents there may well be further items to which I would wish to object. I submit that this application has not adhered to the agreed due process and, if the Planning Officer is looking favourably at this application, it should be re-submitted to allow local residents an appropriate amount of time to fully consider.

- b. 62 Sutton Road – I have lived here for 20 years, and in that time, we have seen the airport expand, along with the noise and pollution from the aircraft. JKS and Don Deer concrete recycling over at Purdeys industrial estate, which causes dust and pollution, and a busy, dangerous road which carries 14,000 cars daily; we are now to be told that our next door but one neighbour to us is to be converted into a residential care home.... This is a shambolic idea. The road directly outside the house is a known accident spot, having witnessed several accidents, including one where a car pushed our car (which wrote it off) into our bay window, and another 3 incidents over the years, where speeding cars ended up in number 60's front garden, knocking down brick work, and lucky not to have caused loss of life. There is no

parking outside our properties, and we fail to understand where visitors, staff, and health care professionals will be able to park their vehicles, not to mention the builders, lorries, etc that are meant to be building the extension. I can understand if planning permission had been put in to build an extension, just to expand the bungalow, but for such drastic changes to be administered changing it to a residential care home is ludicrous. I have experienced these types of places, when both my grandmothers weren't able to look after themselves any longer, and they had to be moved to residential care homes. The noises and screams that I heard were not pleasant, and I don't particularly relish hearing the same sounds on my own doorstep. Also may I ask, come summer time, when the residents surrounding the proposed care home, decide to have bbqs, parties etc, are we all going to be told we can't or have to finish at 9pm as the residents will be going to bed? That surely is a breach of our civil rights to do what we like in our own homes? I understand residential homes are needed, but certainly not along this road, where there are so many 'cons' rather than 'pros'. I am also not appreciative that letters were only given to the 2 adjoining properties, as we should have all been notified of this, between 54 and 68 Sutton road, with properties which also back the proposed site at the back, namely Sutton Court Drive and Warwick Drive. I look to you to reject such a crazy idea, and keep it as a normal home for a family to live in, rather than someone trying to cash in, build on a site which is totally inappropriate, just to make money from our elders.

- c. 56 Sutton Road – I, along with several other immediate neighbours to this address, find the plans unacceptable for many reasons as follows-

None of us were formally approached or written to and only found gossip amongst neighbours to be evidence of this submission found by one a couple of weeks ago on a lamp post-! This has since been removed and no-one saw it to read it! So we are very alarmed and disrupted by the news.

Opposition regarding the following:-

Purpose of business of a Care Home ensures hourly staff and visitors to park which will overflow into our spaces which are extremely limited also due to the recent airport expansion parking overflow.

	<p>The fact that the residents' alarms and medical equipment noises and activities will be heard in our properties and gardens just 60ft away</p> <p>The disruption to the residential area in general  There are enough fire engines and service vehicles arriving at the two large care home properties we already have at each end of Sutton Court Drive, which is a very busy area night and day with traffic already cutting through due to the Industrial sites and the airport.</p> <p>We feel strongly that allowing a business care home doors away on such a small plot would have a decreasing value effect on our properties next door and nearby. This seems to be over development and far too close to our own boundaries creating access and certainly more traffic generation. The existing bungalow is situated between two semi detached properties that are privately owned. We have young children who I certainly feel would be affected by a business of this nature and people in this establishment, there would be many staff comings and goings, also each resident would have ambulance needs and regular visitors wishing to park their vehicles too.</p> <p><b>3. Alteration to Report</b></p> <p>In paragraph 2.5 change "meet the adopted standard" to "meet the adopted minimum standard" and alter condition 3.1(4) to "minimum dimensions of 2.5 metres x 5 metres".</p>
<p><b>Item 7(3)</b></p> <p>14/00027/FUL  Land North of the Lawn, Hall Road, Rochford</p>	<p><b>Contents</b></p> <p><b>1. RDC Ecological Consultant's Comments</b></p> <p><b>2. ECC Historic Buildings Adviser's Further Comments</b></p> <p><b>3. Revised Officer Recommendation</b></p> <p><b>1. RDC Ecological Consultant's Comments</b></p> <p>I think the lack of supporting ecological information could be reasonable grounds for refusal, although looking at the site on aerial photos, I would say the risk of legally protected species being</p>

affected might be quite low. The field appears to be horse grazed and with a fairly uniform structure, although this might not be the case throughout the year or if the level of grazing changes. The application covers a small area of the field away from any existing field boundaries or other features. It is possible that reptiles could be present, but I would suggest that the probability is low. My approach would be to exclude any reptiles from the working area by doing the work while they are active and by managing the vegetation; I'm not sure a reptile survey would be necessary. Of course, it would be necessary to see the site to be certain of this opinion, and that's why supporting ecological information is important.

In summary, the lack of ecological information may be a reason for refusal, but impacts to protected species (i.e. reptiles) is probably not strong enough to warrant refusal on its own.

## **2. ECC Historic Buildings Adviser's Further Comments**

I suggested the alternative location to the agent in a phone call. He said that they had considered it, but it was impractical. I am not entirely sure what the problem was but I think it was to do with greater distance and laying cables. I wouldn't begin to understand the technicalities.

I can appreciate your various reasons for recommending refusal, and concur that planting cannot be certain to provide adequate screening over an indefinite period of time.

## **3. Revised Officer Recommendation**

Given the specialist ecological advice received, officers now consider that the ecological reason for refusal (no. 3) should be removed from the recommendation. Officers consider after receiving advice that this could be sufficiently dealt with by the imposition of a planning condition if consent were to be granted. The further comments received from the ECC Historic Building's Adviser are not considered to alter the recommendation made.