

Planning Services Committee 13 December 2001

Minutes of the meeting of the **Planning Services Committee** held on **13 December 2001** when there were present:

Cllr R E Vingoe – Chairman

Cllr R Adams	Cllr J R F Mason
Cllr R S Allen	Cllr G A Mockford
Cllr R A Amner	Cllr C R Morgan
Cllr Mrs R Brown	Cllr R A Pearson
Cllr T G Cutmore	Cllr R F Powell
Cllr Mrs J E Ford	Cllr M G B Starke
Cllr Mrs J M Giles	Cllr P D Stebbing
Cllr J E Grey	Cllr Mrs W M Stevenson
Cllr Mrs H L A Glynn	Cllr Mrs M S Vince
Cllr D R Helson	Cllr Mrs M J Webster
Cllr Mrs J Helson	Cllr P F A Webster
Cllr Mrs L Hungate	Cllr D A Weir
Cllr V H Leach	Cllr Mrs M A Weir
Cllr T Livings	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs P A Capon, G Fox, Mrs J Hall, A Hosking, C C Langlands, Mrs S J Lemon, Mrs L I V Phillips, S P Smith.

OFFICERS PRESENT

S Scrutton	-	Head of Planning Services
A Bugeja	-	Head of Legal Services
J Whitlock	-	Planning Manager
M Mann	-	Team Leader
A Wyatt	-	Committee Administrator

454 MINUTES

The Minutes of the meeting held on 22 November 2001 were approved as a correct record and signed by the Chairman.

455 BREACH OF PLANNING CONTROL AT PUBLIC OPEN SPACE (LAND END), WHITE HART LANE, HOCKLEY

The Committee considered the report of the Head of Planning Services, including the Addendum sheet, regarding the breach of planning control at the above site, where there has been non-

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compliance with Schedule 3 of a Section 106 Legal Agreement made under the Town & Country Planning Act (1990)(as amended) relating to planning permission reference DP/0497/96/ROC.

Resolved

That the Corporate Director (Law, Planning & Administration) be authorised to take all necessary action including action in the Courts to secure the remedying of the breach of planning control. (HPS)

456 BREACH OF PLANNING CONTROL AT OASIS ARABIANS, VANDERBILT AVENUE, RAYLEIGH

The Committee considered the report of the Head of Planning Services regarding the construction of a building, the stationing of a caravan and associated incidental operational development and the use of land for residential purposes without the benefit of planning permission.

Resolved

That the Corporate Director (Law, Planning & Administration) be authorised to take all necessary action including the issue of notices and action in the Courts to secure the remedying of the breach of planning control. (HPS)

457 BREACH OF PLANNING CONTROL AT THE LAMINATE FLOORING WAREHOUSE, 24D EASTWOOD ROAD, RAYLEIGH

The Committee considered the report of the Head of Planning Services regarding the change of use from Class B1 to Class A1 of the Town & Country Planning (Use Classes) Order 1987 of the above property without the benefit of planning permission. Mindful of officers recommendation in the report, Members considered nevertheless that enforcement action should be taken on this matter should a planning application, seeking to regularise the situation, not be received by 31 January 2002.

Resolved

That if a Planning Application is not received by the 31st January 2001, the Corporate Director (Law, Planning & Administration) be authorised to take all necessary action including the issue of notices and action in the Courts to secure the remedying of the breach of planning control. (HPS)

458 BREACH OF CONSERVATION AREA CONSENT ON LAND TO THE REAR OF 23 WEST STREET, ROCHFORD, ESSEX

The Committee considered the report of the Head of Planning Services regarding the demolition of a wall within the Rochford Conservation

Area, without the benefit of Conservation Area consent, which materially affects the appearance of the building and area.

Resolved

That the Corporate Director (Law, Planning & Administration) be authorised to take all necessary action including the issue of notices and action in the Courts to secure the remedying of the breach of planning control. (HPS)

459 BREACH OF PLANNING CONTROL AT 26-28 GOLDEN CROSS ROAD, ROCHFORD

The Committee considered the report of the Head of Planning Services regarding a breach of planning control namely the non-compliance with Condition 6 of planning application reference RM/0223/98, that required the hedge along the northern boundary of the site not to be removed, pruned or otherwise reduced in height without the prior written agreement of the Local Planning Authority.

Resolved

That the Corporate Director (Law, Planning & Administration) be authorised to take all necessary action including the issue of notices and action in the Courts to secure the remedying of the breach of planning control. (HPS)

460 BREACH OF PLANNING CONTROL AT 11 WALLACE CLOSE, HULLBRIDGE

The Committee considered the report of the head of Planning Services regarding a breach of planning control namely the use of 11 Wallace Close, Hullbridge as the headquarters and operating centre for a decking company.

Resolved

That the Corporate Director (Law, Planning & Administration) be authorised to take all necessary action including the issue of notices and action in the Courts to secure the remedying of the breach of planning control. (HPS)

461 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS

Members had before them the current Schedule of Development Applications.

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Item D1 - 01/00651/FUL, King George V Playing Field, Eastwood Road, Rayleigh

Proposal - Install tarmac basket ball practice area

Resolved

That the application be approved subject to the condition in the Schedule and an Informative re fencing.

Item D2 - 01/00777/FUL, Site D3, Purdey's Industrial Estate, Rochford

Proposal – Use land as highways maintenance depot. Erect office building, toilet, mess and gatehouse. Perimeter security fencing 2.4m high.

Condition 13 to be deleted as set out on the Addendum sheet.

Resolved

That planning permission be granted subject to the Heads of conditions in the Schedule, incorporating the Deletion of Condition 13.

Item D3 - 01/00587/COU, 36-37 Star Lane Industrial Estate, Star Lane, Wakering

Proposal – Change of use of Unit 36 to transport and storage and relocate waste transfer station to unit 37 (as ancillary use).

Amend condition 8, 2nd line to read "...manoeuvring of all vehicles visiting the site..."

Add condition relating to Business Hours – 7.00am – 6.30pm, Mondays to Saturdays, no working Sundays or Bank Holidays.

The alterations of Conditions set out on the Addendum sheet, together with the alteration of Condition 13 to state, by when the hard surface is required to be laid out.

Noting these additional points, Members considered that the application should be delegated to the Head of Planning Services to Approve, in consultation with the 4 Local Ward Members.

Resolved

That the Application be delegated to the Head of Planning Services to approve, subject to the additional points above, in consultation with the 4 Local Ward Members.

Item D4 – 01/00590/OUT, Land to rear of 63 Kimberly Road, Little Wakering

Proposal – Outline application to erect chalet bungalow with integral garage.

Mindful of Officers recommendation for approval, Members considered nevertheless that the application should be refused on the grounds of: -

- 1) The proposal would be served by an accessway to Little Wakering Road, which has a pinch point of only 2.77m width and the crossover to, which will not enable full 1.5m x 1.5m pedestrian visibility splays to be provided. This is detrimental to highway and pedestrian safety.
- 2) The proposed dwelling is situated within a 1:200 flood plain and no flood risk assessment has been submitted with the application. Such an assessment is required by PPG25 to ensure the proposal, if permitted, is acceptable. Furthermore, the site is the subject of localised flooding from the drain to the North, which should also be considered in any assessment of the site.
- 3) The foul drainage serving the site is known to be unsatisfactory at times and this proposal can only serve to compound problems already experienced by local residents.

Resolved

That the application be refused for the reasons stated above.

Item D5 – 00/00005/OUT, Land between Cherry Orchard Way and Western Approaches, Rochford

Proposal – Outline application for mixed commercial (classes B1 and B8) develop, car showrooms, maintenance and preparation units and petrol filling stations.

The Committee received a full presentation from the Head of Planning Services detailing the Outline Planning Permission sought by the applicants, the consultations and representations received on the scheme and the impacts/assessments judged with the application. Reference was made to the Planning Services Addendum, particularly

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in relation to the Amended details of the proposed Section 106 Agreement, and also the conditions attached to any consent granted.

The Head of Planning Services answered questions from Members about:

- The local plan status of the site
- The requirements for further land to be released in the district for employment purposes if this application was approved
- The need for a financial contribution from the developer towards the provision of bus services
- The details of the financial contribution from the developer for highway improvement works
- The layout of the buffer strip
- The requirements for car parking within the site
- Arrangements for dealing with any protected species

In discussion, Members agreed that it would be appropriate to seek a contribution from the developer towards the operation of a bus service to the site for 2 to 3 years following the first occupation of units on the site.

Resolved

That outline planning permission be approved subject to; the completion of a Legal Agreement dealing with the matters in the Schedule, as amended in the Planning Services Addendum and also the Heads of Condition in the Schedule, as amended in the Planning Services Addendum.

Item D6 – 01/00033/FUL, Eastwood Lodge, 61 Rayleigh Avenue, Eastward

Proposal – Erect three-five-bed and two four-bed detached houses with attached or detached garages, change use of former residential home to dwelling (demolish existing out building/extensions), layout new private drive, parking and improved junction to Rayleigh Avenue.

Add informative bringing applicants attention to the 'Special Needs' use of the building adjacent to the Listed Building. Amend Condition 20 to clarify it requires details of mitigation measures in general for the protected species.

It was further considered that a letter should be sent to the Applicant reminding them of their legal obligations relating to protected species on the site.

Resolved

That the application be approved subject to the applicants entering into a Section 106 agreement dealing with the matter in the Schedule and also the Heads of Conditions in the Schedule, as amended above. A letter also to be sent to the applicants in respect of their obligations with regard to the protected species on the site.

Note: Cllr Mrs J M Giles wished it recorded that she cast her vote in favour of the above application.

Item D7 – 01/00034/LBC, Eastwood Lodge, 61 Rayleigh Avenue, Eastwood

Proposal – Demolish existing side and rear out buildings and extensions, layout new drive to change the use of the former residential home to single dwelling. Erect five detached dwellings within existing rear garden area.

Resolved

That listed building consent be granted for the development proposed subject to the conditions in the Schedule.

Item D8 – 01/00740/COU, 5 West Street, Rochford

Proposal – Change of use to the Beauty Clinic.

Resolved

That application be approved subject to the conditions in the Schedule.

Item D9 – 01/00805/LBC, 5 West Street, Rochford

Proposal – Change of use of Beauty Clinic including internal alterations.

Resolved

That the application be approved subject to the conditions in the Schedule.

Item D10 – 01/00656/FUL, 200 Main Road, Hawkwell

Proposal – Variation of Condition 2 of permission ROC/907/86 to allow hot food home delivery service.

Add condition to ensure that delivery vehicles always use the car park to the rear for movements to and from the premises.

Resolved

That application be delegated to the Head of Planning Services to determine pending the receipt of the final consultation responses, to include the conditions in the schedule, and as outlined above.

Item D11 – 01/00824/FUL, 8 Woodlands Avenue, Rayleigh

Proposal – First floor front extension.

Resolved

That the application be approved subject to the conditions in the Schedule.

Item D12 – 01/00790/FUL, King George V Field, Eastwood Road, Rayleigh

Proposal – Install a hard standing for skateboard facility.

Consideration of this Application was deferred for a Members Site Visit. Members requested that the proposed area be marked on the ground.

Resolved

That A Site Visit be arranged. (HAMS)

Item D13 – 01/00841/CON, Adjacent to Day Centre, Back Lane, Rochford

Proposal – Replacement of existing wall with railings (max height 1.63m).

Resolved

That the matter be referred to the Secretary of State for his consent with this the Local Planning Authorities recommendation for approval subject to the conditions in the Schedule.

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**Item D14 – 01/00051/FUL, The Dome Caravan Park, The Spur,
Lower Road, Hockley**

Proposal – Engineering works in respect of the siting of a mobile home.

Resolved

That application be approved subject to the conditions in the Schedule.

The meeting closed at 10.15pm

Chairman

Date