

Development Committee – 30 August 2012

Minutes of the meeting of the **Development Committee** held on **30 August 2012** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr P A Capon

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|-------------------------|------------------------|
| Cllr Mrs P Aves | Cllr Mrs C M Mason |
| Cllr C I Black | Cllr J R F Mason |
| Cllr Mrs T J Capon | Cllr Mrs J E McPherson |
| Cllr J P Cottis | Cllr D Merrick |
| Cllr T G Cutmore | Cllr Mrs J A Mockford |
| Cllr Mrs H L A Glynn | Cllr T E Mountain |
| Cllr K J Gordon | Cllr R A Oatham |
| Cllr J E Grey | Cllr Mrs C E Roe |
| Cllr J D Griffin | Cllr C G Seagers |
| Cllr Mrs A V Hale | Cllr D J Sperring |
| Cllr B T Hazlewood | Cllr M J Steptoe |
| Cllr Mrs G A Lucas-Gill | Cllr I H Ward |
| Cllr C J Lumley | Cllr Mrs M J Webster |
| Cllr Mrs J R Lumley | Cllr Mrs B J Wilkins |

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs M R Carter, Mrs D Hoy, M Hoy, K H Hudson, M Maddocks, P F A Webster and Mrs C A Weston.

OFFICERS PRESENT

| | |
|---------------|---------------------------------------|
| S Scrutton | - Head of Planning and Transportation |
| J Whitlock | - Planning Manager |
| K Rodgers | - Team Leader (Area Team South) |
| M Stranks | - Team Leader (Area Team North) |
| A Law | - Solicitor |
| S Worthington | - Committee Administrator |

PUBLIC SPEAKERS

| | |
|-----------|-----------------|
| A Stones | - for item 4 |
| I Davies | - for item 5 |
| L Knifton | - for item 6 |
| K Baker | - for item 8(1) |

173 MINUTES

The Minutes of the meeting held on 26 July 2012 were approved as a correct record and signed by the Chairman.

174 DECLARATIONS OF INTEREST

Cllr Mrs A V Hale declared a non pecuniary interest in item 6 of the agenda by virtue of being a neighbour to the applicant.

175 12/00012/FUL – 247 LONDON ROAD, RAYLEIGH

The Committee considered a planning application to demolish an existing car show room and work shop and to construct a two storey building to provide a 50-bedroomed care home, parking and amenity space and to change the use of No. 131 Louis Drive West to ancillary use to a care home.

Resolved

That the application be refused, for the following reasons:-

- 1) The proposal, by way of the significant depth of the building proposed on the western side, would, by way of the form, height and close proximity to the boundary and the rear walls of the adjoining dwellings nos. 1-7 Little Wheatley Chase, prove over dominant, resulting in a poor relationship to those adjoining dwellings contrary to part (ix) to Policy HP6 to the Rochford District Replacement Local Plan (2006), as saved by Direction of the Secretary of State dated 5 June 2009 under paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004. If allowed, the proposed building would result in a building proving detrimental to the amenity occupiers of those adjoining dwellings ought reasonably expect to enjoy.
- 2) The proposal does not provide sufficient parking within the site for the proposed development. The lack of parking may well lead to vehicles being displaced onto the highway to the detriment of other road users and general highway safety contrary to the Council's requirements, as set out in Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010. (HPT)

176 12/00279/FUL – TIMBER GROVE, ELIZABETH FITZROY HOMES, LONDON ROAD, RAYLEIGH

The Committee considered a planning application to demolish an existing care home and construct a new care home (use class C2) and 43no. dwellings: 1no. two-bedroomed apartment, 16no. two-bedroomed houses, 22no. three-bedroomed houses, 4no. four-bedroomed houses, associated parking and re-construction of the access road from London Road.

Resolved

That the application be refused for the following reasons:-

- 1) The site is partly located within an area of Metropolitan Green Belt, as defined in the Council's saved Local Plan (2006). Within the Green Belt

permission will not be given, except in very special circumstances, for the construction of new buildings other than the reasonable replacement of existing dwellings, as defined in policies R2 and R6, or necessary for agriculture or limited recreation that would keep land open. The proposal represents inappropriate development and no very special circumstances have been demonstrated by the applicant that would outweigh the harm to openness and other harm caused by the piecemeal ad hoc development of small parcels of land on the fringe of the settlement in a resulting unsustainable form lacking pedestrian and cycle integration with neighbouring and proposed adjoining development. If approved, the proposal would fail to ensure the comprehensive treatment of the greater land release and would fail to bring forward the proportionate contribution such release ought to make to community infrastructure provision contrary to Policy H2 and appendix H1 to the Rochford District Council adopted Core Strategy (2011) and Policy CLT1.

- 2) The proposal fails to demonstrate conclusively that sufficient affordable housing cannot be provided within the development and as such the proposal would be contrary to policy H4 of the Council's adopted Core Strategy (2011). If allowed, the development would lose the opportunity of providing sufficient affordable housing on the site against the severity of the need for affordable housing in the Rochford District and which is one of the key priorities of the Local Planning Authority to maximise the provision of affordable housing through the planning system.
- 3) The site is greater than 1 ha in size and the application must therefore demonstrate that the additional surface water generated by the development will not increase flooding on or off site post development. The submitted Flood Risk Assessment does not currently demonstrate the full details of how surface water will be managed from the site. If allowed, the development may potentially give rise to additional surface water flooding. (HPT)

177 12/00293/FUL – BRAND HOLE YACHT CLUB, KINGSMANS FARM ROAD, HULLBRIDGE

The Committee considered an application to remove existing chalets and caravans and to construct 14no. raised holiday chalets and a revised car parking layout.

Resolved

That the application be refused for the following reasons:-

- 1) Insufficient information has been submitted to allow the Local Planning Authority to give proper consideration to the impact of the development upon the conservation objectives for the adjoining Site of Special Scientific Interest, Special Area of Conservation, Special Protection

Area and Ramsar site (Wetlands of International Importance) (Natura 2000 sites). It is necessary to submit a desk top study and bird surveys in relation to those sites and consideration of the impact of the proposal upon those species and habitat in order to allow the Local Planning Authority to properly consider the impact of the development upon these adjoining conservation sites.

- 2) Insufficient information has been provided by way of survey information to establish the presence and populations of protected species present on the site likely to be affected by the development and suitable mitigation, if required, to allow the Local Planning Authority to properly consider the issue of the effect of the proposal upon protected species populations likely to be present on the site. (HPT)

178 12/00371/FUL – 233 RECTORY ROAD, ROCHFORD

The Committee considered an application to demolish the existing dwelling on site and to erect a detached four-bedroomed house with integral garage.

Resolved

That the application be approved, subject to the following conditions and informative:-

- 1 SC4B – Time Limits Full – Standard
- 2 The development hereby permitted shall only be commenced as an alternative (and not in addition) to that previously permitted under planning reference 12/00142/FUL in so far as it relates to this site. Under no circumstances shall the development hereby permitted and that permitted under the previous planning reference (in so far as it relates to this site) be implemented simultaneously.
- 3 The materials used in the construction of the dwellings hereby permitted shall be those materials detailed within section 9 of the application form, date stamped 25 June 2012, namely TBS traditional red blend brick, Ultimate 70 Grey UPVC windows and Ultimate 70 light oak door (excluding the Marley modern black roof tile). Where alternative materials to those identified above are to be used, no development shall commence before details of those alternative external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Any materials that may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted. The roofing material to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing. Once agreed, such roofing materials shall be used within the development.

- 4 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) the window(s) marked OBS on the approved drawing no. DMG/11/028/12 date stamped 25 June 2012 shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.
- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no window, door or other means of opening shall be inserted above first floor finished floor level on the side elevations of the dwelling hereby permitted, in addition to those shown on the approved drawing no. DMG/11/028/12 date stamped 25 June 2012.
- 6 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no two storey extensions shall be erected within the south east corner of the dwelling to plot 1 hereby permitted.
- 7 The hard and soft landscaping and boundary treatment shown on drawing no. DMG/11/028/7A and within the picket fence image date stamped 24 August 2012 shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.
- 8 Prior to first use of the development hereby permitted, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.
- 9 Prior to first use of the development hereby permitted, a vehicular hard standing shall be provided with the ability to park two vehicles measuring 2.9m x 5.5m per vehicle. This hard surface shall be constructed either of a porous material or provision be made to direct surface run-off water from the hard surface to a permeable or porous

area or surface within the site. Once implemented, this hard surface shall be permanently retained for the parking of vehicles.

- 10 Prior to occupation of the development the vehicular hard standings shall be provided with an appropriate dropped kerb vehicular crossing of the footway as shown on drawing number DMG/11/028/3c date stamped 25 June 2012, to the satisfaction of the Highway Authority and permanently retained thereafter.
- 11 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 12 The area within the curtilage of the site identified for the parking of operatives' vehicles and the reception and storage of building materials clear of the highway on drawing no. DMG/11/028/7A shall be implemented during the course of the development.

Informative

The applicant should be advised that any damage that has and may continue to occur to the footpath shall be discussed with Essex County Council Highways department and be repaired where required by and in accordance with Essex County Council. (HPT)

179 12/00418/FUL – LAND REAR OF 24 AND 26 STAMBRIDGE ROAD, ROCHFORD

The Committee considered an application to sub-divide plots and construct 1no. three-bedroomed bungalow, form access to the side of No. 26 Stambridge Road, form a new vehicular crossing and parking to the front of No. 26 Stambridge Road.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds that the application constituted a form of backhand development that was inappropriate in the street scene, would be detrimental to the private amenity space of future occupants, insufficient ecological information had been provided and the proposed parking arrangement would prove dangerous to the safety of other highway and footpath users.

Resolved

That the application be refused for the following reasons:-

- 1) The proposal, by way of the provision of a new dwelling behind the existing street frontage, would give rise to an unacceptable form of backland development giving rise to overlooking, noise and disturbance and a building of a size and height that would detract from the quiet and undeveloped character of the area, which arises from the significant garden depths containing modest out buildings and

seclusion to surrounding properties. If allowed, the proposal would detract from the established character of the development pattern and would result in an intensification of the site failing to relate well to the existing street pattern and site surroundings proving detrimental to the enjoyment of those private amenity spaces to neighbouring properties contrary to Policy H1 to the Council's adopted Core Strategy (2011).

- 2) In the opinion of the Local Planning Authority there would be insufficient room within the layout and siting proposed to enable the proposed parking areas to function properly and allow for vehicles to turn and manoeuvre within the site. If allowed, vehicles would be forced to reverse down the length of the driveway and access to the site and would enter the highway in reverse gear opposite the busy junction with Malting Villas Road giving rise to conflict with other pedestrian and vehicular traffic to the detriment of highway safety.
- 3) The proposal, by way of the narrow nature and significant length of the proposed access to serve the dwelling proposed, would necessitate vehicular movements having to pass along much of the depth of the adjoining property, No. 28 Stambridge Road, and for all of the depth of the adjoining property, No. 26 Stambridge Road. In the opinion of the Local Planning Authority there would be a strong likelihood of vehicles having to reverse along this length of access with drivers using a lower reverse gear with consequent higher noise levels from such movements not typical to the quiet surroundings proving detrimental to the amenity of those adjoining occupiers and furthermore, given the narrow nature of the access, there would be an increased risk of vehicles breaking through the fencing into those adjoining gardens and proving dangerous and unsuitable for both users of the access and residents of those adjoining properties.
- 4) Insufficient information has been submitted with regard to the presence of protected species on the application site, particularly Slow Worms, to allow the Local Planning Authority to properly assess the application. If allowed, the proposal could result in harm to protected species that may be present on the site. (HPT)

The meeting closed at 10.00 pm.

Chairman

Date

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