

Item 4
Addendum
Development Control Committee
24 June 2008

<p>Item R1 08/00359/FUL Church Road Nurseries Church Road Hockley</p>	<p>The Head of Environmental Services:</p> <p>No adverse comments in respect of this application. The principle of this sort of development is strongly encouraged.</p>
<p>Item 2 08/00214/FUL</p> <p>Lords Golf And Country Club Hullbridge Road Rayleigh</p>	<p>Two further letters have been received and which make the following comments and objections in addition to those set out in the report:</p> <ul style="list-style-type: none"> • Disturbance, pollution and road noise. • Beginning to feel that this part of Rayleigh is taking the brunt of all your expansion. • Would bring misery to the residents of Rawreth Lane. • Note that the proposers of entry No. 19 appear to have included our land which is listed as No. 17 in with their proposal by description and the fact there appears to be no division between our respective properties on the plan. • Advise that the Hanover Land Trust has no connection whatsoever with Lord's Golf Club. <p>Arising from the officer recommendation and the members site visit the applicant has made the following comments:</p> <ul style="list-style-type: none"> • Advise that paragraphs 9.2 and 9.3 to the supporting statement indicate the nature of the imported material. • As with the previous application it is the intention to import only inert material to the site and this will be endorsed and supported by a waste exemption licence from The Environment Agency. The applicant has not supported the application with a waste exemption licence as it is a requirement of the exemption licence to give the Environment Agency a definite period of construction. Given the uncertainty of the planning process with the likelihood of an appeal following Rochford's decision the applicant could not commit to a build programme and therefore the agency could not issue a licence. Once there is certainty in the planning position a licence could be obtained. It is our experience that there should not be any problems in obtaining such a licence given the material would be diverted from existing disposal sites leaving them available for other users. • In response the representations made under consultation the applicants make the following comments: <p>Re: Hullbridge Parish Council</p>

	<ul style="list-style-type: none"> • Service water run off will be controlled to an acceptable level as stated in the supporting statement and recommended by condition 12 to the previous application. • The height of the mounding have been carefully identified and scoped with the assistance of an internationally recognized golf course designer. The mounding would not be intrusive and has been specifically designed so as not to materially affect the local landscape. • There is no intention to have inert waste from the Olympic development (too far away) the material will be inert waste from more local development sites. The nature of the material can be controlled by a planning condition and is also controlled by the Environment Agency. • The previous application had the full support of the Essex County Highways Department. This application is identical to that previously considered and therefore there should not be any highway issues. • The issue of mud on the road can adequately be controlled via a wheel washing condition. <p>Re: Woodlands and Council ecologist officer and Environment Agency comments</p> <ul style="list-style-type: none"> • The further information required can be adequately controlled by way of a planning condition. No objection to the recommended conditions. <p>Re: Essex Bridleways comments</p> <ul style="list-style-type: none"> • Issues can be adequately controlled by way of a planning condition similar to condition 15 of the recommendation of the previous application. • Any issues on the public highway are beyond the control of the applicant. <p>Re: Natural England</p> <ul style="list-style-type: none"> • Consider the issues raised can be adequately controlled by way of a planning condition. • There is significant potential to increase the biodiversity across the site, this includes enhancing existing habitat for protected species. • With regard to the reasons for refusal recommended by officers. • The applicants withdraw the driving range element and thus reason 6 falls away. The safety and playability of the driving range will be assessed at some future date. • Consider that reasons 4 and 5 could be adequately controlled by way of Grampian style conditions. Comment further that officers should be aware of the very positive comments from the Environment Agency in terms of the potential enhancements to the biodiversity of the site. • If it would assist members the applicants offer to limit the amount of imported material to 50,000 tonnes per annum and to a further condition to limit the origin of the inert material within the County of Essex. • The applicants also advise that they would be prepared to accept a condition for a lower amount of vehicles (currently proposed at 45 No. vehicle movements per day) However advise that if this be the case,
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	<p>the project period would have to be extended.</p> <ul style="list-style-type: none"> • The applicants would also accept a planning condition that there would not be any deliveries of material to avoid the rush hour and weekends or public holidays, to the following effect. • “There shall not be any deliveries of inert material in connection with the re – profiling as outlined within this application outside of the following times unless previously agreed in writing by the Local Planning Authority. 09:30 – 16:30 Monday to Friday and not at all on Saturday, Sundays or Bank or Public Holidays.” • The applicants consider that the application has been adequately justified with and by an independent reports by experts in their field and do not support the position of the County Planning Authority on this matter. <p>Officer response</p> <p>The suggested limitation of hours of delivery of material could be a suitable condition to any approval that might be given.</p> <p>The suggested use of conditions to address the outstanding ecological concerns is not acceptable. Whilst the information supporting the application was satisfactory last year, it is necessary to review the situation properly in advance of consent being granted as it may be that circumstances have changed that might influence the current proposal. It is quite likely that in event of an appeal the applicants will undertake these reports so as to inform the Inspector on the situation to allow proper consideration.</p> <p>The revision to the application to delete that part of the proposal relating to the driving range does not alter the County Council’s position with regard to their recommendation and the reasons they consider the application should be refused.</p> <p>In view of the applicant’s revision to the application to delete those works affecting the driving range area, officers recommend that reason 6 of the recommendation be withdrawn.</p> <p>The REVISED RECOMMENDATION IS REFUSAL for reasons 1 – 5 inclusive as set out in the report.</p>
<p>Item 4 08/00280/FUL Former Park School Rawreth Lane Rayleigh</p>	<p>One further letter has been received from the applicants in response to the officer assessment of the accompanying delivery Noise Assessment and which makes the following comments:</p> <p>The conclusions drawn from our report do not take into account the existing baseline noise environment in Priory Chase between the hours of 06:00 - 07:00 which has a significant affect on the noise assessment. Our comments are as follows:</p> <ul style="list-style-type: none"> • The guideline of 73dBLAF,max for desirable conditions with windows closed is already exceeded between the hours of 06:00 – 07:00 by

	<p>road traffic outside the nearby houses (chart 1 page 15 of our report)</p> <ul style="list-style-type: none"> Noise from the arrival and departure of the two extra deliveries must be taken in context with the existing noise environment. During the periods 06:00 – 07:00 we measured five noise events that exceeded the 73dB LAF, max guideline outside the nearest house. The range for these five events was between 73 and 77 dBLAF,max. Around nine car passbys approached but did not exceed the 73dB guideline. The proposal would create 4 No. noise maxima from the arrival and departure of the vehicles assuming two deliveries. The levels of these maxima will be between 74 and 79 dB LAF, max for the larger ASDA delivery vehicles. These additional four noise maxima will not result in a significant noise impact when considering the existing noise environment measured by BAP outside the nearest house on Prior Close between 06:00 – 07:00. <p>The Head of Environmental Services states the following in response to the above:</p> <p>The applicants report states that the levels for larger ASDA delivery vehicles is between 74 and 79 dBLAF, max. An increase of 6 dB is significant and may result in disturbance to local residents.</p>
<p>Item 5 08/00217/FUL Makro Rawreth Industrial Estate Rawreth Lane Rayleigh</p>	<p>Two further letters have been received and which make the following comments and objections in addition to those set out in the report:</p> <ul style="list-style-type: none"> Our peace is shattered daily by car alarms going off in their car park, screeching of brakes, banging of car and van doors. Constant in and out traffic. Application not dissimilar to a previous application they tried to get through last year. Thin end of the wedge, can see they will want 24 hour opening. Have long enough hours at present. Will extend into quiet evenings. Will attract more kids in their fast cars to roar up and down the road. Lead to combination of cheap booze and fast cars that we should all be trying to avoid.