

## **Development Committee – 22 September 2011**

---

Minutes of the meeting of the **Development Committee** held on **22 September 2011** when there were present:-

Chairman: Cllr P A Capon

Cllr Mrs P Aves	Cllr M Maddocks
Cllr C I Black	Cllr Mrs C M Mason
Cllr J P Cottis	Cllr J R F Mason
Cllr T G Cutmore	Cllr R A Oatham
Cllr T E Goodwin	Cllr R D Pointer
Cllr K J Gordon	Cllr C G Seagers
Cllr J E Grey	Cllr M J Steptoe
Cllr Mrs A V Hale	Cllr J Thomass
Cllr Mrs D Hoy	Cllr I H Ward
Cllr M Hoy	Cllr Mrs M J Webster
Cllr Mrs G A Lucas-Gill	Cllr P F A Webster
Cllr C J Lumley	Cllr Mrs C A Weston
Cllr Mrs J R Lumley	Cllr Mrs B J Wilkins

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs T J Capon, M R Carter, Mrs H L A Glynn, K H Hudson, Mrs J E McPherson, D Merrick, Mrs J A Mockford, A C Priest and S P Smith.

### **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 Gerzon	- Solicitor
S Worthington	- Committee Administrator

### **PUBLIC SPEAKERS**

Mr D Keddie	- for schedule item 2
Mr R Hunt	- for schedule item 3

### **221 MINUTES**

The Minutes of the meeting held on 14 September 2011 were approved as a correct record and signed by the Chairman, subject to noting apologies from Cllr D Merrick.

### **222 DECLARATIONS OF INTEREST**

Cllr M Maddocks declared a personal interest in item 1 of the schedule by virtue of being acquainted with the applicant.

### 223 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS / ITEMS REFERRED FROM THE WEEKLY LIST

The Committee considered the schedule of development applications.

#### **Item 1 – 11/00369/FUL – Land at End of and Between Park Gardens and Hawkwell Park Drive, Hawkwell**

**Proposal** – Two detached 3/4-bedroomed houses and three detached 2-bedroomed bungalows with garages, construct private drive with access from Park Gardens.

Mindful of officers' recommendation for approval, Members nevertheless considered that the application should be refused on the grounds of over-development, inadequate surface water strategy assessment, arboricultural concerns relating to two oak trees on the site and concerns around the proposed translocation of slow worms present on the site.

#### **Resolved**

That the application be refused for the following reasons:-

1. The proposal is considered to amount to over-development of the site. The proposal for five detached dwellings on the site, each with the necessary car parking provision, amenity space and access, has led to the siting of the dwelling to plot 4 in very close proximity to the two oak trees adjoining the site, which are both subject to Tree Preservation Orders. The relationship of this dwelling to these trees, which make an important contribution to the character and appearance of the area adjoining the public open space to the east, is considered to be unacceptable given the potential for the trees to overshadow the dwelling such as to give rise to pressure to allow cutting back or other works to the trees to an extent that could be detrimental to the viability or amenity value of the trees. There is also some doubt as to whether the development can be accommodated as indicated on the site as well as the bridleway being in the position shown on the definitive rights of way map. The proposal gives rise to the need for the re-siting of the sewer off site, which may not be a viable option, and is also indicative of an over-development of the site.
2. Standing Advice issued by Natural England advises that animals translocated as a result of development should be transferred to a suitable site within the Local Authority boundary in preference to transfer out of the Authority boundary. The Local Planning Authority is not satisfied that a suitable site for the translocation of slow worms could not be found within the Rochford District.
3. The Local Planning Authority is not satisfied that sufficient information has been provided to demonstrate that an adequate surface water drainage would be developed at the site to ensure that surface water flooding does

not arise as a consequence of the proposed development. (HPT)

### **Item 2 – 11/00411/FUL – Lawn Lodge, Hall Road, Rochford**

**Proposal** – Demolition of single story dwelling and erection of new 3-bedroomed single storey dwelling.

Mindful of officers' recommendation for refusal, Members nevertheless considered that the application should be approved. on the grounds that it would result in no

#### **Resolved**

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

1. SC4 Time limits
2. SC14 Materials to be used

Notwithstanding the approved plans, no development shall commence before detailed drawings at a scale of 1:20, to show the elevational detailed design of the proposed windows, doors, rainwater goods, lead roof canopy, plinth, string course and coping on the development hereby permitted, is submitted to and agreed in writing by the Local Planning Authority. Once agreed, such detailing on the development hereby permitted shall be of a design strictly in accordance with the approved drawings and details and shall be retained in this form thereafter.

3. SC14 PD Restricted Extensions Class A, B or C
4. SC17 PD Restricted Out Buildings

#### **REASON**

The proposal will not result in demonstrable harm to the Green Belt and the design is in keeping with traditional, Georgian lodge houses. (HPT)

### **Item 3 – 11/00439/COU – 99 London Road, Rayleigh**

**Proposal** – Change of use from shop (use class A1) to takeaway (use class A5). Demolish work shop and part of shop extension and construct four off-street parking spaces and construct bin store.

#### **Resolved**

That the application be approved, subject to the deletion of car parking space no. 4 and to the following heads of conditions:-

1. 1. SC4B – Standard time limit.

2. Prior to the commencement of the development a mechanical extraction system shall be provided to the kitchen area in accordance with details, which shall be submitted to and agreed in writing with the Local Planning Authority. Such works as may be agreed shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form in accordance with the manufacturer's instructions while the premises are in use for the permitted purpose.
3. The use of the premises for hot food takeaway and home deliveries shall be open to trade to customers between 1000 hours and 1900 hours on any day. No sales or deliveries to customers shall take place from the premises outside these permitted hours.
4. Provision of 1.5m x 1.5m pedestrian visibility splay.
5. The vehicular access shall be provided with an appropriate dropped kerb crossing.
6. The vehicular hardstandings shall have minimum dimensions 2.9m x 5.5m.
7. Provision within the curtilage for the duration of the construction period for the parking of operatives' vehicles and reception and storage of materials.
8. No unbound materials to the surface treatment of the vehicular access within the first 6m of the highway. (HPT)
9. Prior to the first use of the development hereby approved the car parking spaces labelled 1, 2 and 3 shall be laid out, surfaced and made available for the customers to the takeaway hereby approved. The layout shall not include the provision of car parking space 4, which shall not be made available or served by a vehicular crossing.

### **Item 4 – 11/00497/FUL – 11/00497/FUL – The Chichester, Old London Road, Rawreth**

**Proposal** – Construct covered smoking shelter to Tudor Suite and stable bar / restaurant.

### **Resolved**

That the application be refused for the following reasons:-

1. The Replacement Rochford District Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5 June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory

Purchase Act 2004 shows the site to be within the Metropolitan Green Belt. Within the Green Belt, planning permission will not be given, except in very special circumstances, for the construction of new buildings or for the extension of existing buildings (other than reasonable extensions to existing buildings, as defined on Policies R2 and R5 of the Local Plan). Any development, which is permitted shall be of a scale, design and siting such that the appearance of the countryside is not impaired.

The proposed development is inappropriate by definition and no very special circumstances have been demonstrated that would outweigh the harm that would be caused to the Green Belt. In addition, the proposed structure would be a prominent addition to the Tudor Suite and Stable Bar elements of the building and would add to the built development at the site, reducing the degree of openness to the front of the existing building to which it attaches. Should the Council allow the proposed structure this would set a precedent for piecemeal additions to buildings which would cumulatively erode the openness of the Green Belt and would be detrimental to the character and appearance of the part of the Green belt of which the site forms part'. (HPT)

The meeting closed at 9.00 pm.

Chairman .....

Date .....

If you would like these minutes in large print, Braille or another language please contact 01702 318111.