

Planning Services Committee – 31 July 2003

Minutes of the meeting of the **Planning Services Committee** held on **31 July 2003** when there were present:-

Cllr A J Humphries (Vice-Chairman)

Cllr Mrs R Brown	Cllr Mrs M D McCarthy
Cllr P A Capon	Cllr C R Morgan
Cllr Mrs T J Capon	Cllr R A Oatham
Cllr R G S Choppen	Cllr J M Pullen
Cllr T G Cutmore	Cllr P K Savill
Cllr K A Gibbs	Cllr C G Seagers
Cllr Mrs H L A Glynn	Cllr D G Stansby
Cllr J E Grey	Cllr Mrs M A Starke
Cllr S A Harper	Cllr M G B Starke
Cllr K H Hudson	Cllr Mrs M S Vince
Cllr C C Langlands	Cllr Mrs M J Webster
Cllr T Livings	Cllr P F A Webster
Cllr C J Lumley	Cllr D A Weir
Cllr Mrs J R Lumley	Cllr Mrs B J Wilkins
Cllr J R F Mason	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs R A Amner, C I Black, Cllr T E Goodwin, C A Hungate, Mrs L Hungate, , G A Mockford, S P Smith and J Thomass.

OFFICERS PRESENT

S Scrutton	- Head of Planning Services
A Bugeja	- Head of Legal Services
L Palmer	- Team Leader, Area Team South
P Whitehead	- Team Leader, Area Team North
S Worthington	- Committee Administrator

373 MINUTES

The Minutes of the meeting held on 24 June 2003 were agreed as a correct record and signed by the Chairman.

374 DECLARATIONS OF INTEREST

Cllr R A Oatham declared a personal interest in Schedule item R2 by virtue of the applicants being friends of his daughter.

Cllr R G S Choppen declared a personal interest in Schedule item D1 by virtue of being the Ward Councillor for Rayleigh Central and in Schedule item 3 by virtue of living in Western Road and in Schedule item 4 by virtue of being a personal friend of the Managing Director of Runwood Homes plc.

Cllr Mrs M J Webster declared a personal interest in Schedule item 4 by virtue of being Deputy Portfolio Holder for Community Care.

Cllr Mrs M D McCarthy declared a personal interest in Schedule item D1 by virtue of being acquainted with a neighbour at 14 Leslie Road.

Cllr C G Seagers declared a personal interest in agenda item 4 by virtue of being a Member of Great Wakering Parish Council.

375 ARTICLE FOUR DIRECTIONS REMOVING PERMITTED DEVELOPMENT RIGHTS (TO ERECT MEANS OF ENCLOSURE AND TO SITE CARAVANS) ON LAND SOUTH OF POYNTERS LANE, GREAT WAKERING, ESSEX

The Committee considered the report of the Head of Planning Services on a apprehended breach of planning control on land to the south of Poynters Lane, Great Wakering, Essex.

The following motion was moved by Cllr C G Seagers and seconded by Cllr P F A Webster:-

That the Head of Planning Services be authorised to make arrangements for the service of Article 4(1) and 4(2) Directions under the General Permitted Development Order (1995) (as amended) on the land in question to secure the remedying of the apprehended breach of planning control now reported.

On a requisition pursuant of Council Procedure Rule 16.4, a recorded vote was taken on the motion as follows:-

For (30) Cllrs Mrs R Brown, P A Capon, Mrs T J Capon, R G S Choppen, T G Cutmore, K A Gibbs, Mrs H L A Glynn, J E Grey, Mrs S A Harper, K H Hudson, A J Humphries, C C Langlands, T Livings, C J Lumley, Mrs J R Lumley, J R F Mason, Mrs M D McCarthy, C R Morgan, R A Oatham, J M Pullen, P K Savill, C G Seagers, D G Stansby, Mrs M A Starke, M G B Starke, Cllr Mrs M S Vince, Mrs M J Webster, P F A Webster, Cllr D A Weir and Mrs B J Wilkins

Against (0)

Abstentions (0)

Resolved

That the Head of Planning Services be authorised to make arrangements for the service of Article 4(1) and 4(2) Directions under the General Permitted Development Order (1995) (as amended) on the land in question to secure the remedying of the apprehended breach of planning control now reported. (HPS)

376 SCHEDULE OF PLANNING APPLICATIONS

The Committee considered the Schedule of Planning Applications.

Item D1 – 03/00108/FUL – 12 Leslie Road, Rayleigh

Proposal – Erect 6-bed two storey dwelling with rooms in roof (revised and retrospective application following Permission 99/00638/FUL).

Mindful of Officers' recommendation for approval, Members considered nevertheless that the application should be refused on grounds of being out of keeping with the street scene and the French doors and balustrade provided to the first floor elevation result in overlooking and it was: -

Resolved

That the application be refused for the following reasons:-

1. That the amendments to the roof previously approved under Ref: 99/00638/FUL comprise raising the height of the flank walls of the house by some 0.6m and providing smaller hips. The resulting enlargement of roof and bulk of the building is considered to tip the balance from a dwelling previously considered acceptable and granted Planning Permission under Ref: 99/00638/FUL, to one out of scale with its neighbours and the street scene in general and thereby detrimental to the visual amenities and character of the area.
2. The French doors and balustrade provided to the first floor rear elevation are considered to result in overlooking and a loss of privacy, detrimental to the amenities of adjoining residents. (HPS)

Item R2 – 03/00387/COU – Land Adjoining 240A – 242 Eastwood Road, Rayleigh

Proposal – Change of use of highway land to form part of residential curtilage.

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

amenity and setting a precedent in respect of other amenity areas along Eastwood Road, the cumulative effect of which would erode the area's pleasant character and it was:-

Resolved

That the application be refused for the following reason:-

That the site contributes to the pleasant character of the public street scene. The proposal, if permitted, would result in a consequent loss of character and set a precedent in respect of other grass verges and amenity areas along Eastwood Road (including the area on the opposite corner of Southview Road), the cumulative effect of which would be the serious erosion of the area's pleasant character. (HPS)

Item 3 – 03/00167/REM – 28 Western Road, Rayleigh

Proposal – erection of 2 no. detached dwelling houses and garages, together with amendments to access (Reserved Matters Application following Grant of Outline Permission under Ref. 01/00335/OUT)

Resolved

That the application be approved, subject to the Legal Agreement and conditions set out in the Schedule. (HPS)

Item 4 – 02/00617/FUL – Land opposite cemetery, Hockley Road, Rayleigh

Proposal – erect two storey building comprising 76 bed elderly residential care home layout access and parking.

Resolved

That the application be approved, subject to the conditions set out in the Schedule. (HPS)

Item 5 – SOS/00884/FUL – Part of Fossetts Farm Fronting Fossetts Way, Rear of Wellesley Hospital, Fossetts Way, Southend on Sea

Proposal – construct link road across Fossetts Farm.

Resolved

- (1) That Southend on Sea Borough Council be informed that Rochford District Council has no objections to this application, subject to:

- i) the full implementation of the requirements of the Environmental Impact Assessment and
 - (ii) the understanding that this application related solely to the proposed access/highway works.
 - (iii) that the Local Planning Authority look into the potential/feasibility of providing an adequate acoustic buffer/barrier between the new roadway and the plot/garden area of Smithers Cottages in order to provide the occupants of these properties with a suitable amount of protection.
 - (iv) that the Council for the Protection of Rural England/Essex and English Nature be consulted on the submission, with regard to the specific issue of the removal of historic hedgerows.
- (2) That Southend on Sea Borough Council also be informed that this Authority maintains its objection to the use of the site for a new football stadium due to its likely impact on the area and the local traffic implications on the highway network. (HPS)

Item 6 – 03/00418/GD – Bullwood Hall Prison, Bullwood Hall Lane, Hockley

Proposal – erect prefabricated maintenance/classroom block and workshop extension.

Resolved

That no objections be raised to this application. (HPS)

Item 7 – 03/00423/FUL – 232 Eastwood Road, Rayleigh, Essex

Proposal – demolition of existing bungalow. Erection of four houses and associated garages. Lay out private drive (resubmission).

Mindful of Officers' recommendation for approval, Members considered nevertheless that the application should be refused on the grounds that issues relating to trees protected by TPO were not resolved, and would have an unacceptable impact on the amenity currently enjoyed by the surrounding residents, and that the position of the new access road would impact upon the amenities for the occupiers of 230 Eastwood Road.

Resolved

That the application be refused for the following reasons:-

1. That the proposed development, by virtue of the position of plot two and its garage and their proximity to the existing Tree Preservation Order Trees (Oak T2 and Ash T1) on site, is such that the development is likely to affect the long term health, vitality and safety of these trees. In addition, given the proximity of these trees to the dwelling (plot 2), they are likely to come under pressure from the future occupiers of this dwelling to remove canopy, limbs or entire trees to allow greater light into the rear of the dwelling house and to provide a more useable and un-shaded garden area.
2. The proposed development will have an unacceptable and un-neighbourly impact on the amenity currently enjoyed by the surrounding residents, in particular, the house on plot 2, due to its close proximity and setting, would be harmful to the amenities enjoyed by the occupants of 2 The Crofts, and in addition it is considered that the position of the new access road and the use thereof is likely to have an unacceptable and un-neighbourly impact upon the amenities of the occupiers of No 230 Eastwood Road. (HPS)

The meeting closed at 9.35 pm.

Chairman

Date